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MARYLAND

HISTORICAL MAGAZINE

PUBLISHED UNDER THE AUTHORITY OF

THE MARYLAND HISTORICAL SOCIETY

FOR SUBSCRIBERS

VOLUME IV

BALTIMORE
1909

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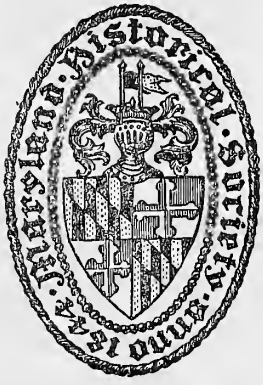

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MARYLAND

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A QUAKER PILGRIMAGE;

BEING

A MISSION TO THE INDIANS FROM THE INDIAN COMMITTEE OF THE BALTIMORE YEARLY MEETING, TO FORT WAYNE, 1804.

WILLIAM H. LOVE.

The journal of this expedition was written by Gerard T. Hopkins, and an Appendix was added in 1862 by Miss Martha E. Tyson. This Committee left their homes in Maryland in the month of February 1804. As a suitable introduction to this narrative, it would be better, perhaps, to commence it by giving some of the intercourse which had previously taken place between the Indian Committee of Baltimore Yearly Meeting and some of the Indian Chiefs of the Western tribes. Here is one, signed by the great Miami Chief Little Turtle and the Potowatamy Chief "The Five Medals." It is dated "The Little Turtle's Town, September 18th, 1803."

"From the Little Turtle, The Five Medals and others, to Evan Thomas, George Ellicott, and others. Brothers and Friends of our hearts;—We have received your speech from the hand of our friend Wm. Wells, with the implements of husbandry that you were so kind as to send to his care,—all in good order.

Brothers, it is our wish that the Great Spirit will enable you to render to your Red Brethren that service which you appear to be so desirous of doing them, and which their women and children are so much in need of.

"Brothers, we will try to use the articles you have sent us, and if we should want more, we will let you know it.

"Brothers, we are sorry to say that the minds of our people are not so much inclined towards the cultivation of the earth as we could wish them.

"Brothers, our Father, the President of the United States, has prevented our traders from selling liquor to our people, which is the best thing he could do for his Red Children.

"Brothers, our people appear dissatisfied, because our traders do not, as usual, bring them liquor, and, we believe, will request our Father to let the traders bring them liquor, and if he does, your Red Brethren are all lost forever.

"Brothers, you will see, from what we have said, that our prospects are bad at present, though we hope the Great Spirit will change the minds of our people, and tell them it will be better for them to cultivate the earth than to drink whiskey.

"Brothers, we hope the Great Spirit will permit some of you to come and see us,—when you will be able to know whether you can do anything for us or not.

"Brothers, we delivered you the sentiments of our hearts, when we spoke to you at Baltimore, and shall say nothing more to you at present. We now take you by the hand, and thank you for the articles you were so kind to send us.

"Signed,

"The Little Turtle,
Miami Chief.
"The Five Medals,
Potowatamy Chief."

This letter had claimed the attention of that Committee at a meeting held the 6th of the Second Month, 1804, and the following minute was made as the result of their deliberation :

"The subject of a visit to the Indians agreeable to the desire they express in the aforegoing letter the Committee are united in their judgment that a visit to them at this time would be the most likely means of obtaining a knowledge of the disposition they are in. The following Friends are therefore nominated for that service, and requested to proceed in the visit as soon as convenient, to wit: George Ellicott, Gerard T. Hopkins, Joel Wright and Elisha Tyson.

"They are also authorized to take one or more suitable persons with them to reside among the Indians to instruct them in agriculture and other useful knowledge if there should appear to be a prospect of such an establishment being beneficial to them."

Mr. Hopkins' diary continues:—

My name having been entered upon the minutes placed upon me this very interesting appointment, a subject of much thoughtfulness and exercise, and believing finally the peace of my own mind was concerned in a passive submission to the judgment of my friends, I accordingly made provision for the journey, and on the 23rd of the Second Month, 1804, left my home, after an affectionate farewell to my family connections and friends; rode to Ellicott's Mills and joined my friend George Ellicott. We then proceeded on our journey, taking with us Philip Dennis, a member of our Society who was going to accompany us for the purpose of residing with the Indians in order to instruct them in agriculture. The first day we reached Brookville and lodged at Caleb Bentley's, making 27 miles. The weather cold with some snow. Nothing occurred except in crossing a miry glade my horse fell and threw me; neither of us received a hurt.

24th. Bade farewell to my relatives at Brookville and rode to Nowland's Ferry 28 miles, a very muddy and cold day. The high wind prevented us from crossing the Potomac River. We rode to the house of George Lepley, a neighboring farmer, where we found good accommodations and were kindly entertained.

25th. Crossed the Potomac early this morning; passed over the Catoctin Mountain, taking in the village of Waterford, thence

through the Gap at Short Hill over the Blue Ridge to Warnsley's Ferry over the Shenandoah River; thence across the Shenandoah to the house of our friend John McPherson, a distance of 29 miles.

26th. Passed across the Shenandoah Valley, a body of excellent limestone land; many parts of it retain to this day the name of Barrens, though now heavily timbered, being at the time the land was taken up covered with scrubby bushes. On our way we crossed a small river called the Opekon, and it being the first day of the week we attended the Ridge Meeting of Friends, after which we lodged at night at the house of our friend David Lupton, at the foot of North Mountain, having made 18 miles.

27th. This day we travelled 31 miles, and lodged at Clayton's Ordinary; having now crossed the North Mountain, Timber Ridge, Sandy Ridge and Capon Mountains, also forded Great Capon River and North River. We noticed some tolerably well looking farms and also noticed several small sugar camps in the course of this day's journey.

28th. Continued our journey. Forded the Little Capon River, the south branch of the Potomac, Patterson's Creek and the north branches of the Potomac. We also traveled Little Capon Mountain, South Branch Mountain and North Branch Mountain, passed through Springfield, Frankford and Cresapsburg villages, reached Musselman's Tavern, near the foot of the Alleghany Mountains, making a journey of 37 miles. A snow had been falling for some hours upon the remains of a former snow, 10 inches deep. Notwithstanding the severity of the weather, the journey to-day was interesting, and the danger at this time attendant on climbing or descending precipices. Deer are said to be very numerous upon these mountains. Several were seen by us. We also observed seats erected in the branches of trees by the hunters, 20 feet high, in concealed stations, for the purpose of shooting deer at the Salt Licks. We have also seen several flocks of turkeys, and pigeons in vast numbers.

29th. Travelled 30 miles to-day upon the Alleghany Mountains and at night lodged at Smith's Ordinary. Near this part of the mountain, our road led us through the most beautiful and lofty

forest of spruce and pine I ever saw. This forest is called 'The Shades.' The trees are generally from 108 to 180 feet in height, many of them without a limb for 100 feet, with a body not more than 12 inches in diameter at the surface of the earth.

We also forded one of the branches of the Youghiogany River called the Little Crossings. The principal ridges which we passed are called by the mountaineers Back Bone Ridge, the Winding Ridge and Negro Mountain. On inquiring into the origin of the name of the latter, we were informed that many years ago, a white man and a negro who were hunting together, accidentally fell in with an Indian upon this ridge who was armed; both the negro and the Indian betook themselves to trees, presented their guns at each other, and fired at the same moment, and both fell dead. Their images are cut upon the trees behind which they fell, as a memento of the circumstance. The ridge has ever since been called the Negro Mountain.

Over the greater part of our journey to-day we found snow 2 feet in depth. A tolerable track is, however, beaten for us by a description of peddlars who pass by the name of 'packers.' These people carry on a considerable trade between the Red Stone settlements and Winchester, in Virginia. It is not unusual to meet a packer having with him half a dozen loaded horses, loaded with merchandise.

3rd Mo., 1st Day. This day we travelled 36 miles and passed through the villages of Woodstock and Union Town. After night, reached the house of our friend, Jonah Cadwallader, in the neighborhood of Red Stone Old Fort. On our way we passed a place called 'The Great Meadows.' This place is noted for an intrenchment cast up by General Washington, then Colonel Washington, when retreating from a defeat given to a small force under his command, near the junction of the Alleghany and Monongahela Rivers; history says by a much superior body of French and Indians. We also passed over the spot where General Braddock was buried. His army of 1200 chosen men was defeated near Fort Duquesne in an unexpected attack by the Indians. A considerable amount of the land in this neighborhood, we heard, was owned by General Washington at the time

of his death. This day's journey has been very disagreeable and cold, owing to a continued fall of snow which we greatly regretted, as the view from the top of Laurel Hill was very much obscured. I may here mention that the difficulties and fatigues of our journey thus far have been rendered light by the agreeable company of my brother-in-law, Thomas Moore, and our esteemed friend, Israel Janney. They are complying with an appointment by our late yearly meeting in a visit to a quarterly meeting at Red Stone. We also attended Redstone Quarterly Meeting and we met several friends from the state of Ohio. They live on a part of a tract called "The Seven Ranges." They informed us that the Indian chief, Tarhie, a Wyandote of great distinction, with about 100 hunters of his nation, were hunting bears upon a branch of the Big Beaver, called Mahoning, within about 20 miles of their settlement; that a fall of snow, 3 feet in depth, had placed the Indians in a suffering position, they not making provision at their camp for such an event. In this situation these brother Quakers received the following letter from Tarhie:

"My dear Brothers, Quakers, listen to what I now say to you. You always called us Indians your brothers, and now, dear white brothers, I am in distress, and all my young men who are with me.

"Brothers, will you please to help me to fill my kettles and my horses' troughs, for I am afraid my horses will not be able to carry me home again.

"Neighbors, will you please to give, if it is but a handful a piece, and fetch it out to us, for my horses are not able to come after it.

"This is all I have to say at present.

"TARHIE."

"To my Brothers, the Quakers."

A considerable quantity of provisions was furnished by the Friends to these Indians, for which they expressed great thankfulness. Tarhie himself divided the presents between man and man, making no difference for distinction of rank.

The Friends were also informed by Tarhie that several years ago he had sent a talk to the Indian Committee at Baltimore, accompanied by a belt of wampum worth $50, and had long been waiting for an answer and had not yet received one. In consequence of this information from the old chief a conference was held at Redstone between such of the members of the Indian Committee as could be convened there. The result was a request made to four Friends of the neighborhood, who lived near the Indian camp, to visit Tarhie, and inform him that his talk was not received by the Indian Committee and that his belt of wampum never came to their hands. If he had anything further to say, please write again.

While we were in this neighborhood we could not but admire the richness of the land between the foot of the Allegheny Mountains and the Monongahela River. The people seemed to live in ease and plenty and there was hardly a plantation that did not produce coal and sugar trees; the coal is, I think, equal to the best Liverpool coal, and is used for fuel in place of wood. It is much easier to procure than wood, although wood is exceedingly plentiful. Sugar trees are in abundance and afford a plenteous quantity to those who are industrious enough to make it. We were informed that many families make from 500 to 1000 lbs. Others would make as high as 1800 up to 2500. Molasses of excellent quality was also made from this tree and what is also called small beer, equal to anything of the kind that we have met with on this trip—all produced from the sap. Such were the bountiful things provided by Providence that the new country beyond the Ohio, lately opened for sale, has set the general mind afloat. We saw people who were well settled, and who for some years ago, too, had passed the meridian of life, strongly affected with the prevailing mania.

The river Monongahela not having yet risen, we were greatly disappointed in our wish to take a boat at Redstone for the mouth of the Miami; we had, therefore, no alternative than to proceed on a long and fatiguing journey by land. This being the 9th of the 3rd month, we proceeded on our journey by land. In the morning, while we were preparing to go, two young men arrived

at our fortress for the purpose of aeeompanying us, one of them a blaeksmith, and a member of our soeiety,—the other a carpenter and a steady young man. They are in the pay of the government and have engaged to reside in the neighborhood of Fort Wayne, to be employed for the benefit and instruetion of the Indians. Previous to our leaving home, we had reason to expeet that we should be overtaken by these young men and were glad to have our expectations realized.

We this day reaehed Brownsville, a village on the Monongahela, erossed over that river in a boat and rode 26 miles to Washington, an inland town. It is said of this country that one of the first surveyors, on being questioned respeeting the general appearanee, said, "It reminds me of a large meadow, filled with stacks of hay." A comparison most apropos.

It is worthy of remark that near Brownsville, on the Monongahela, are the remains of old fortifications, including several acres of ground. Mussel shells are very abundant on the upper surface of the earth. Nearby there are two fish pots, extending quite aeross the river. They are made of stone, weighing generally from 30 to 40 lbs. It is said that the Indians who resided in the neighborhood, at the first diseovery by the white man, had not even a traditional knowledge of the ereetion of these fish weirs, nor of the ereetion of the fortifieations.

This, the 10th day, we crossed in a boat the great river Ohio, On approaehing it I felt no small degree of awe. The slow and majestie movement of so vast a body of running water, added to the reeolleetion of the blood whieh had been spilt on its shores, enforeed the sensation. With what obstinaey the poor Indians resisted the designs of the white man in making settlements west of this river, having been driven further and further Westward, relinquishing their elaims to traet after traet of land, they here made a stand, fixed in a resolve hither ye may come, but no further; the river shall be the boundary between us and it shall limit your eneroaehments. The resistance they made and the blood whieh was spilt suffieiently proved the reluetanee with whieh they gave up the confliet.

The bottom on the west side of the river, whieh we crossed,

was at the junction of Short Creek. We observed here a mound 15 ft. high and 45 ft. at the base. It was said to be Indian. In that neighborhood there was quite a number of these mounds and fortifications. A few years before we arrived at this point a certain kind of caterpillar had attacked the forests and destroyed everything for 7 or 8 miles along the shore and for many miles back.

The 11th of the month being 1st day we rested ourselves and our animals and were very glad to be able to attend a meeting of Friends at Short Creek Meeting; about 40 Friends were at this meeting; most of them new settlers, the greater number having come from North Carolina.

On the 12th day we again proceeded on our journey, making 31 miles, to Randallstown. The riding to-day is very disagreeable. We found very few houses or cabins erected, which are generally made of heavy timber logs, covered with split timbers called "puncheons," which they pin to the rafters with wooden pins. The floors are hewn out of timber and pinned to the sleepers with wooden pins. These people have to clear their land by killing the timber which they do, just the same as the Indians did, by girdling the tree, that is, by cutting the bark around the tree into the sap wood. It is common practice to sow small grain on the original surface without any plowing, which is then harrowed in, and such is the looseness and lightness of the soil there seems but little necessity for the plow in raising the first crop of grain. Our road led us across a water of the Ohio called Captena, also several streams belonging to a river called Stillwater, named from its slow, silent progress, to the Muskingum. We found deer very plentiful in this neighborhood, but hardly saw any of the feathered tribe, except owls. Birds love the haunts of man. Squirrels in this neighborhood are of a deep black color, entirely different from those of the Alleghany Mountains, which were mostly red, and less in size than the grey squirrels of Maryland. These squirrels are exceedingly active and the mountaineers call them the Chiparee squirrel. This day we crossed several other branches of Will's Creek, named after Will, a famous Indian, who formerly had a town named Willstown on its banks.

On the 15th day we travelled 30 miles and lodged at a small hut called Trimble's. We ferried the beautiful river Muskingum at Jamesville, where it is about 600 ft. wide. We rode 20 miles this day, after passing the river. Many Germans are making settlements in this neighborhood. Saw a number of Indian mounds and observed 17 deer in one group.

16th day. We rode 32 miles and we stopped at a place called New Lancaster on the Great Hocking River. The extraordinary beauty of the country excited our admiration. Every little while a natural meadow, containing from 50 to 200 acres, perfectly level, having neither tree, shrub, stump, nor stone, with the blackest soil I ever saw in any combination of earths. Immense numbers of Indian burial grounds are found in this immediate neighborhood and the people told us that they could produce on one acre 100 bushels of corn and from 40 to 50 bushels of wheat. They plant corn at a distance of $2\frac{1}{2}$ to 3 feet apart and have 6 or 8 stalks in a hill.

[At this point in the diary Mr. Hopkins has inserted some very skillfully made drawings of Indian fortifications and these have been reproduced in many of the Smithsonian contributions to knowledge.]

We measured trees in this locality of perfectly enormous dimensions; white oaks from 7 to 8 feet in diameter, walnuts 6 to 7′4″, elms 6′8″, ash 5′, honey locust 4′; all these measurements being made 8 feet from the ground. We measured a number of sycamore trees from 8 to 10 ft. in diameter. One of these trees continued for 45 feet without a limb. Philip Dennis suggested an opinion that this tree if cut and split into cord word, after the usual manner, would measure 40 cords. At first, we questioned this statement, but on making a calculation we were convinced that his estimate was within bounds.

22nd day. In this locality we discovered that the appearance of the stone on the hills and in the river and creek bottoms was a limestone composed of marine shells. These shells are of the same description I have obtained from the Chesapeake Bay, in

the lower part of the State of Maryland. Many of the creeks in this part of Ohio that we forded came very near taking our horses off of their feet. Towards the close of this day we saw an immense flock of birds alighting in the trees, different in appearance from any we had seen. Our landlord informed us they were parrots and that they were common on the Great Miami. To gratify our curiosity he shot one. It was about the size of a dove. Its plumage resembles the green parrot of South America. Its head was red and the wings tipped with the same color. Its bill and tongue were of the same description as the chattering parrot. There is also a woodcock here resembling the red-headed woodcock of Maryland, except that its head was black and its bill ivory. A part of the fort is still standing, erected at this point by General Wayne. We slept here one night, with our feet to the fire, and wrapped up in our blankets, as we had done many times before.

Shortly after we had made our fire and with the approach of night we heard at a short distance from us a whoop. We had reason to believe that the shrill and uncommon noise was made by an Indian, and having understood that it was their custom when they approached a camp to give notice by a whoop we failed not to return the same, and in a few moments two Indian men upon a horse, followed by two women and a girl, on another horse, rode up to our camp. Their countenances were smiling and indicative of friendship; as we reached out our hands they shook same. "Saga, Saga, niches," which we have since learned was the salutation "How do you do, Brothers." They could not speak English; but putting their hands on their breasts, they said, "Delawares, Delawares." They rode off to the south.

30th day. We pursued our path and travelled 23 miles through an exceedingly beautiful country, inclining somewhat to low hills. We at last reached Fort Wayne. As we approached the fort and had gotten within about 30 rods, we were saluted by a sentinel with the word, "Halt." We obeyed the command. The sergeant was despatched to speak to us by the commanding officer, who said, "Where are you going and what is your business?" We handed him our introductory letter which we said would explain

our visit. The officer shortly returned with an invitation to advance and we were very politely met by the commanding officer, Captain Whipple, to whom we handed our letter from the Secretary of War.

"War Department, February 20, 1804.

"Gentlemen,—This will be handed you by Messrs. George Ellicott, Joel Wright, and Gerard T. Hopkins, who are a deputation from the Society of Friends in Maryland, for visiting the Indians in the western country for the laudable purpose of affording them assistance in the introduction of the arts of civilization.

"They are men of high respectability, are actuated by the best motives, and are entitled to all the civilities in your power to bestow. You will please to afford them all necessary aid, and treat them with such marks of respectful attention, as are due to citizens whose disinterested services deserve the plaudits of every good man.

"I am, very respectfully, your humble servant,

"HENRY DEARBORN."

General Dearborn was well acquainted with those Friends who lived near Ellicott City, and suggested that our committee return to Baltimore by way of Lake Erie and Niagara.

The General was a noble looking man and although he had been actively engaged in the Revolutionary War, still appeared to be in the vigor of life. He visited us at Ellicott City, riding from Washington on horse-back, attended by his son and one servant and rode back the next day the same way. From this point word was sent to the Little Turtle and the Five Medals Great Chiefs. We dined with the officers of the fort, the garrison being composed of 40 officers and men; a larger garrison being unnecessary, as it was a time of profound peace. Here it was that General Harmar met a second defeat, in which several hundred of his men were slain, and their bones still lie scattered about the earth. The route by which his army made their escape for a distance of 5 or 6 miles can be traced by the bones of those

slain by the Indians. The grave of Toad, the nephew of the Little Turtle, the distinguished young chief who with his uncle visited Baltimore two years ago, is here.

1st day, 4th mo. After breakfast we observed 3 Indians advancing toward our lodgings and soon discovered that one of them was Five Medals and the other two were his sons. He had come to the fort on business and didn't know of our arrival, but he instantly recognized us, and shook hands with us very heartily. A person being present who understood the Pottowattamy language, Five Medals said to him, pointing to me, "This is the man who wrote our talks in Baltimore," and very candidly and deliberately replied to our inquiries after his health as follows: "That in the course of last fall he went to Detroit, that whilst there the white people made him drink whiskey. That after he had accomplished his business there, he set out for his home, and got upon his horse whilst the whiskey was in his head. That he had not rode far before he fell from his horse, and was very much hurt by the fall, and that ever since that time he had not been well."

We told him that we had come on a business of great importance to himself and Little Turtle and we hoped to see them together on the morrow. He told us that he had made a camp, not very far off, where he would await the arrival of the Little Turtle.

4th mo. 2nd day. About mid-day Little Turtle arrived. He approached us with a countenance placid beyond description, took our hand with cordiality and expressed himself as very glad to see us. He inquired after all his friends in Baltimore, asked about the paths we had come and the difficulties we had encountered on our journey through the wilderness.

They then informed us that they would consult and fix upon some one to go with us. The business of the council being then at an end, we in turn rose from our seats, and shook hands with them, which concluded the formalities of the opportunity. After entering into a little conversation, we told them we should now bid them farewell, as we expected we should not see them again. They then took us separately by the hand, and with marks of

great affection and friendship bade us farewell, and we returned to our quarters.

4th mo., 12th. Being a fine pleasant morning we set out for the place on the Wabash assigned by the Indians to Philip Dennis. We were accompanied by William Wells and Massanonga (or Clear Sky), a handsome young man of the Wea tribe, deputed by the Indians to pilot us, who (by the bye) says he shall be the first young man to take hold of Philip Dennis' plough.

After riding eight miles, we came to the place called the Portage, on Little river, a navigable water of the Wabash. Then down the margin of the river, leaving it to our left. At the end of four miles, crossed Sandy Creek, another navigable water of the Wabash; then proceeded through the woods, and at end of thirteen miles further again came to Little river, at a place called the Saddle. This name is derived from a large rock in the bed of the river in the shape of a saddle. From the Saddle we proceeded six miles along the margin of the river to its junction with the Wabash.

The bed of the Wabash here is of limestone. After riding five miles further, came to a vein of land about one mile in width, the surface of which is covered with small flint stones, and which we are told extends for several miles. On examining these flints, we found them of excellent quality.

Here the Indians supply themselves with flints for their guns and for other purposes, and here formerly they procured their darts. It has certainly been a place abundantly resorted to from time immemorial. This is evident from the surface of the ground being dug in holes of two and three feet in depth, over nearly the whole tract. This flinty vein is called by the Indians Father Flint. They have a tradition concerning its origin which is very incredible. From this we proceeded, and after riding two miles, reached the place proposed by the Indians.

This place is thirty-two miles rather south of west from Fort Wayne, and is situated on the Wabash, at a place called the Boat-yard, which name is obtained from the circumstance of General Wilkinson having built some flat bottomed boats here, for the purpose of transporting some of the baggage of the American

troops down the river. It was formerly the seat of an Indian town of the Delawares, and we are pleased to find there are about twenty-five acres of land clear. The Wabash here makes a beautiful appearance, and is about sixty yards wide. A little above is an island in the river, on one side of which the water runs with a strong current, and affords a good mill-seat. We viewed the land in this neighborhood for a considerable distance, and found it high and of superior quality, being covered with sugar trees of enormous size, black walnut, white walnut, hackberry, blue ash, oak, buckeye trees, &c., all very large. The land appears to be equal in quality to any we have seen, not excepting the bottoms of the Scioto and Paint Creek. About half a mile below, a handsome creek falls into the river from the north, which we traced for a considerable distance, and are convinced it affords a good mill seat. This creek bearing no name, we called it Dennis creek in honor of Philip Dennis.

As night approached, Massanonga, taking his knife, left us, and in about fifteen minutes returned with a remarkably fine turkey. This he prepared and roasted for us in a very nice and expeditious manner, on which we fared sumptuously. At 9 o'clock we wrapped ourselves in our blankets, and lay down to sleep before the fire, having no shelter. The night was frosty; we, however, slept tolerably and took no cold.

In the night the otters were very noisy along the river, the deer also approached our fire and made a whistling noise; the wolves howled, and at the dawn of day turkeys gobbled in all directions.

13th. Early this morning, we arose, and breakfasted on the remains of the turkey cooked last evening, after which we fixed upon the place for Philip Dennis' farm; we also staked out the situation for his wigwam, which is about one hundred feet from the banks of the Wabash, and opposite a fine spring of excellent water issuing out of the bank of the river.

We are told by several persons well acquainted with the country, that from hence to St. Vincennes, on the Wabash, a distance of two hundred miles by land, and three hundred and fifty by water, the land on both sides of the river, embracing a very

extensive width, is not inferior to the deseription given of this location in yesterday's notes.

At Mississinaway, a large Indian town of the Miamis, situated about thirty miles below us, on the Wabash, stone coal is found, which with limestone continues for two hundred miles down the river.

There are no Indians between this and Fort Wayne, neither any between this and Mississinaway. Philip Dennis' nearest neighbors will be at the Little Turtle's town, eighteen miles distant. Whilst here we have seen four peroques loaded with peltry, manned by Canadians and Indians, on their way up the river to be transported to Detroit.

I may here observe that the Wabash affords an abundanee of large turtles, called soft shelled turtles, the outer coat being a hard skin, rather than a shell. They are esteemed excellent food. It also affords a great variety of fine fish, and we saw dueks in abundanee; we are told it is resorted to by geese and swans.

About 8 o'eloek in the morning we set out for Fort Wayne, where we arrived about 3 o'eloek in the afternoon, and after dining with William Wells returned to our lodgings.

14th. I may here observe that some days ago we came to a eonclusion to return home by the way of the lakes. To this we have been indueed from a hope that we shall be subjeeted to fewer difficulties and mueh less fatigue than to retrace the way by which we eame; and I may also add, that we have been eneouraged to this by the adviee of our kind friends heretofore named, who have with much apparent cheerfulness offered to prepare a way for us; and this morning being informed by our worthy friend, Captain Whipple, that the boat intended for us would be in readiness against to-morrow, we spent the day in making preparations, and in writing to our families.

15th. This morning we bade both a joyful and sorrowful farewell to Philip Dennis, and the two young men who accompanied us out. We also took leave of those generally with whom we had formed an aequaintanee, first breakfasting with Captain Whipple, whose hearty kindness to us has been so often repeated, that his name will deservedly elaim a plaee in our remembrance.

He has fitted out a peroque for us and manned it with a corporal and private soldier from the fort; and, joined by John Johnson and William Wells, has stocked it with an apparent superabundant supply both for eating and drinking.

The first movement made by the Society of Friends of Baltimore Yearly Meeting for the benefit of the Indians, after the conclusion of the Revolutionary war, was commenced about one year subsequent to the treaty of Grenville; whereby a peace had been concluded between the United States and the hostile tribes, northwest of the river Ohio. For many years these Indians had proved themselves to be the formidable enemies of the white emigrants who settled near them, and of the armies of the United States, sent out to compel them to submit to the occupation of a territory which they continued to regard as their own property. Having been greatly improved in warlike discipline, and in the use of European firearms, by serving under the French commanders in former wars, they adhered to any pacific agreements no longer than their fears or their interests restrained them; and rested in the determination never to abandon their lands northwest of the Ohio river. They had defeated General Harmer, with the loss of the greater part of his army, on the banks of the St. Joseph's river in 1791; and an expedition sent against them shortly after, under the command of General St. Clair, was completely routed. In this engagement the Little Turtle, so often alluded to in the foregoing pages, was the commander-in-chief of the Indian forces, and displayed feelings of humanity towards his retreating foes, of which few examples have been furnished in the history of Indian warfare, and which reflects honor on his character.

On beholding the white soldiers fleeing before the exasperated Indians, and at every moment cut down by the weight of their tomahawks, his heart revolted at the sight, and ascending an eminence, he gave the singular cry, which commanded his men to cease from further pursuit and return to their camps; he also sent

out messengers to inform them, wherever scattered, that "they must be satisfied with the earnage, having killed enough." By this effort on his part many lives were spared.

After this defeat, so unlooked for by the United States, General Wayne, who had succeeded General St. Clair, arrived with his army upon the location where that officer had been defeated, in the 9th month (Sept.) 1793, and immediately built Fort Wayne. The next year he brought the Indians to a decisive engagement in the vicinity, in which they were overthrown with great slaughter. This humiliation lessened their high estimate of their own strength and disposed them to peace, and a treaty was concluded between them and General Wayne, who acted as a commissioner of the United States, at Grenville, (1794), by which the tribes northwest of the river Ohio gave up the lands so long the object of contention, and accepting a reservation in the neighborhood of the Lakes, came under the protection of the United States, upon terms at that time considered mutually satisfactory and beneficial.

The Little Turtle, who appears to have had a just idea of the importance of the lands about to be ceded to our government, remained for a long time inflexible, resolved upon procuring more favorable conditions. He was deeply attached to the country which had been his birthplace, and in common with all his brethren considered it belonged to the Indians by right of possession from the Great Spirit, who, they believed, after he had made the earth, sun, moon and stars, had placed the red man on this continent, and bestowed it upon him and his children. He knew also, that the whole region around was made dear to them by every cherished remembrance; their recollections of the happy abode of the red people therein for many generations before the coming of the white men to settle amongst them; as connected also with the sports and pastimes of their youth, and with the enjoyments of their more manly pursuits in maturer years, and moreover as containing the graves and other monuments of their fathers. These recollections were all quickened and increased in importance by the knowledge that in relinquishing the possession of this fine territory, they yielded up forests filled with herds of

deer and other game, which, by the addition of the fruits of their grounds, rich and fertile almost without precedent, gave them, even with their rude mode of tillage, an ample supply for their simple wants. He seemed also to be filled with apprehension, lest when settled within the confined boundaries, which were to be theirs by the conditions of the treaty, his countrymen would be too slow in adopting the habits of civilized life; and as the supply of wild animals must soon be exhausted, would suffer many privations in consequence of the change. As such were his feelings, can any thoughtful person be astonished at his resolutions?

Convinced at last, that no alternative awaited him, he consented to sign the compact, remarking to the officers present, as he affixed his signature, "I have been the last to consent to this agreement; I will be the last to break it." He remained true to his affirmation.

The following extracts are selected from a brief account of the Indian Committee of Baltimore Yearly Meeting, from its appointment in 1795 to the completion of the journey to Fort Wayne, by G. T. Hopkins and George Ellicott, in 1804.

The Yearly Meeting of Baltimore, and also, that of Philadelphia, appear to have directed their attention almost simultaneously to an effort for the improvement of the Indians, and a committee was accordingly appointed in each of these Yearly Meetings, in the autumn of 1795, to take the subject under care.

"In Baltimore Yearly Meeting, held by adjournments, from the 12th day of the Tenth month to the 16th, of the same, inclusive, 1795, Evan Thomas being clerk, and John Cox assistant clerk, the exercise with regard to the Indians commenced by a weighty concern being opened, concerning the difficulties and distress to which the Indian natives of this land are subject, and many observations were made on the kindness of their ancestors to the white people, in the early settlement of this country, exciting a deep consideration and enquiry, whether under the influence of that exalted benevolence and good will to men (which our holy profession requires) anything remains for us to do to promote their welfare, their religious instruction, knowledge of agriculture, and

the useful mechanic arts. A solemnity and uniting calm prevailing over the meeting, the further consideration of the subject was referred to another meeting, when the condition of the distressed Indian natives being again revived, the sentiments of many brethren expressed, and a prevailing sympathy felt, it appears to be the united sense of this meeting, that it be recommended to our Quarterly and Monthly Meetings to take this concern into serious consideration, and open subscriptions among our members for their relief and the encouragement of school education, husbandry, and the mechanic arts, amongst that people. As it appears their situation demands immediate attention, we hope a spirit of liberality will be manifested; and those who find freedom to subscribe, are desired to put their contributions into the hands of the following Friends, who are appointed to receive and apply the same, in such manner as will best answer the benevolent designs of this meeting, carefully guarding against giving offence to government, viz. :—

John Wilson,	Joseph Bond,
John M'Kim,	Joseph Beeson,
John Branen,	John Butcher,
Evan Thomas,	Benjamin Walker,
Allan Farquhar,	Israel Janney,
John Love,	David Brancn,
Caleb Kirk,	Gouldsmith Chandlee,
Jonathan Wright,	Moses Dillon,
of Monallen,	Elias Ellicott,
Thomas Matthews,	Nathan Heald,

David Greane."

The Friends above named composed the first Committee of Baltimore Yearly Meeting for Indian Affairs, and their appointment was witnessed by "John Wigam, a minister from North Britain, who attended with a certificate from Aberdeen Monthly Meeting, dated 17th of Fourth month, 1794, and endorsed by the Half-year's Meeting, held at Edinburgh, 28th of same month; and, also, a certificate from the Yearly Meeting of Ministers and Elders, held in London, dated 17th of Fifth month, 1794, all

expressive of the unity of the Friends of those meetings in his visit to these parts."

Deborah Darby and Rebeeca Young also produeed eertifieates to the Yearly Meeting at the same time, both from the "Monthly Meeting held at Coalbrookdale, in Shropshire, England, dated the 20th of Third month, 1793, endorsed by the Yearly Meeting for Wales, held at Hermarthan, the 25th of Fourth month, 1793. Also eertificates from the Yearly Meeting of Ministers and Elders, held in London, the 18th, 20th, 23rd and 29th of Fifth month, 1793." The company and labors of love of these Friends from Great Britain, are aeknowledged to have been satisfactory to Baltimore Yearly Meeting. They were partakers with them in their exereises for the advancement of truth and righteousness, and sympathized in all their coneerns.

The first important meeting of the Indian Committee was held at Pipe creek, (where the Meeting for Sufferings of Baltimore Yearly Meeting then frequently eonvened), the 22d of the Fifth month, 1796; ten members being present. The meeting was opened by the expression of a desire, by one of the eommittee, that every member of the Society of Friends would be willing to give sanetion to the benevolent experiment recommended by the Yearly Meeting; a sentiment whieh was united with by all present. These good resolutions were much strengthened and encouraged by a letter they then opened and read, from the Indian Committee of Philadelphia, dated Third month 24th, 1796, which set forth "that they had addressed their Quarterly and Monthly Meetings, and, also, Particular Meetings on the snfferings of the Indians, and had sent them, with the minutes from Philadelphia Yearly Meetings, extraets from divers speeches and letters from Indian Chiefs; all tending to spread useful information, and draw the attention of our members to the situation of these distressed people."

At the next meeting of the Committee on Indian affairs, held the 6th of 2d month, 1804, a letter was received from the Little Turtle, and the Five Medals, Miami, and Wyandot chiefs, which resulted in the appointment of a delegation to visit them, of

whom Gerard T. Hopkins and George Ellicott alone performed the service.

The Friends who accomplished this journey together have now for many years been numbered with the dead. George Ellicott departed this life the 9th of 4th month, 1832, aged 72 years, and Gerard T. Hopkins died nearly two years afterwards on the 27th of 3d month, 1834, in the 66th year of his age.

Philip Dennis, who accompanied them to Fort Wayne with the intention of instructing the Indians in agriculture, faithfully performed the duty, so far as he alone was concerned. The Little Turtle had in one of his interviews with the Friends told them "our young men are not so much disposed to be industrious as we could desire." Philip Dennis found this representation of them fully verified in his experience. After he had, with some assistance from the Indians, enclosed his plantation with a rude fence, only one, or at the most two of the red men evinced any disposition to labor. They would take a seat either on the fence, or in the trees, near the premises, and watch him with apparent interest in his daily engagement of ploughing and hoeing, but without offering to lend a helping hand. He found the land very fertile, and raised a large crop of corn and other products, which, after gathering into a storehouse he built for the purpose in the autumn, he left in charge of some of the neighboring chiefs for a winter supply for the necessitous members of the tribes for whom he had labored, and returned to his home at Ellicott's Mills.

Philip Dennis lived some years afterwards, a respectable member of the Society of Friends, and died on his farm in Montgomery County, Maryland.

The promise made at the commencement of the foregoing brief history of the Indian Committee of Baltimore Yearly Meeting, from its appointment in 1795 to 1804, has thus been performed, and the limits I had prescribed for this Appendix have been already exceeded; but the very interesting character of the subject induces me (before producing a copy of the Treaty of Grenville,

which from its influence on the condition of the Indian Tribes, ought to be presented to the audience) to add the following account.

From the last meeting of the committee, as above related, in 1804, to the commencement of the war with Great Britain, the affairs of the Indians continued to increase in importance, and their friends were frequently flattered with the hope of a successful and permanent settlement of the Tribes, to whom the United States under certain conditions had guaranteed their lands, in the neighborhood of the Lakes. Philanthropists, not only in our own country, but, also, of the more enlightened European nations, continued to accord to the efforts of the Friends of this country, the meed of their approbation, and from members of the Society of Friends in Great Britain, the Indian Committees of Philadelphia and Baltimore received donations of money, paid to them in two instalments of several thousand dollars each, to be applied to the improvement of the condition of the Indians, which greatly increased their opportunities of usefulness ; to these donations was afterwards added a bequest from a friend of Ireland, of much less amount, it is true, but, nevertheless, a valuable contribution to the cause of humanity.

Portions of these different sums of money were faithfully applied, with those collected from their own members, in giving encouragement to the civilization of the Indians ; in the promotion of a good system of agriculture; in supporting schools ; in building small mills for grinding Indian corn, and in endeavoring to discountenance the hard servitude of their women.

On the establishment of the Yearly Meeting of Ohio, in 1813, which had originally formed a part of that of Baltimore, the Indian Committee of Baltimore Yearly Meeting faithfully divided the money remaining on hand, with the Indian Committee of Ohio Yearly Meeting, to be applied in accordance with the instructions received for its expenditure; but the unsettlement produced in the neighborhood of the Canadian frontier, by the war with the British nation, produced its effect on the friendly tribes, and, after much consultation among themselves, and repeated visits of

Chiefs to Washington, they concluded to cede all the lands to which they had any title, in Ohio, to the United States, and remove further west. This was in 1817. "The Indians were at their option to remain on the ceded lands, subject to the laws of the state or country."

SOME DISTINGUISHED MARYLANDERS I HAVE KNOWN.

HENRY P. GODDARD.

Not very long ago that excellent newspaper, *The Springfield* (Mass.) *Republican*, editorially stated that the South had by far the most romantically interesting history of any portion of our country. That this is true I am inclined to believe, but after twenty-six years of residence here am positive that for interesting biographical studies Maryland exceeds most, if not all, her sister States.

I shall confine my task (or rather pleasure) to indulging in a few personal reminiscences of some of the more distinguished men and women whom it has been my good fortune to know in greater or less degree in the years I have dwelt among them. For manifest reasons these shall be only of those who have gone hence. The material of this paper is entirely from my own knowledge and memory. In all that is said I have striven for exact accuracy, and if in writing of such recent occurrences I have quoted some strong partisan speeches, it must be remembered that I am simply reporting the views of the speaker without fear or favor.

On an October evening in the year 1883 there stood upon the platform of the Concordia Opera House in Baltimore a tall and distinguished looking gentleman of classical features, with gray hair and neatly trimmed side whiskers and mustache, with a some-

what husky voice, that indicated advancing years, but with a flashing eye and intense earnestness of manner that at once revealed that an orator of uncommon type was upon the platform.

There was something in the presence and bearing of the speaker strongly suggestive of the greatest public speaker I ever heard, "him of the golden lips," Wendell Phillips of Massachusetts. The speaker upon this occasion, however, was a gentleman to whom the political views of Mr. Phillips had always been abhorrent, and one who had even suffered imprisonment under the greatest of Republican presidents. But on this occasion he was speaking to an audience composed of the best men of all political parties in Baltimore, who had gathered to ratify the nomination of an independent candidate for Mayor in opposition to one who was thought to represent a corrupt political ring that for the time being held Maryland in thraldom.

I had listened but a few moments when there came from the lips of Severn Teackle Wallis a ringing utterance that was the keynote of an appeal to men of all parties to unite in a supreme effort to cast out the leaders and tools of this ring. One striking sentence in this appeal rings in my ears to-night as it rang there when first heard twenty-five years ago.

"Democrat as I am, partisan as I am, when I see, as I have so long seen, the party of my choice dragged down and debased by the traders who corrupt it while they destroy it, I feel as if the hoof of an unclean beast were upon my neck, and I must throw it off if I die."

As I recalled the past political history of Mr. Wallis, I reflected that however we might have differed in past years and however he might have suffered for the courage of his convictions in his opposition to a cause very dear to me, that here at last was a man who held patriotism above revenge, and with him I agreed that it was time to forget and forgive all past differences and to enlist under the same banner in the magnificent fight he was making to redeem his beloved Baltimore from misrule. From that hour to the day of his death it was a joy to me to be a devoted follower of such a leader.

Opportunity for personal acquaintance with Mr. Wallis came

soon in my membership of the Athenæum Club, Reform League, and Civil Service Reform Association. An especially favorable opportunity came from the membership on the Executive Committee of the last named body of which Mr. Wallis was chairman, as in his infirm health he seemed glad to have me walk home with him from the meetings, and I was only too glad to do so, as he generally asked me in for a little chat, in the course of which he revealed mines of literary wealth and culture that made the calls delightful. The wit and sarcasm of Mr. Wallis were inimitable, and well known to all who associated with him, and the temptation is great to dwell on them, but I will quote only one or two of his utterances in these conversations at his own house.

He told me that he once saw Edward Everett at a dinner given to him at Baltimore drink a glass of Madeira "with the solemnity of Socrates drinking his glass of hemlock," because the host had made a speech to the guests extolling his own wines.

Mr. Wallis said that he was very enthusiastic and ardent in behalf of the Whig candidates in the famous "Tippecanoe and Tyler too" campaign of 1840, but had been bitterly disappointed in the President-elect when he met him in Baltimore shortly before his inauguration. He attended a dinner in his honor at which he told some stories that led Mr. Wallis to say "I thought I had been supporting a Cincinnatus, but found that I had voted for a blackguard." In speaking of this matter later to an old time Whig, he said that the excuse made for the President by his friends at the time was that he had been charged with senility and told the objectionable stories to disprove the charge.

One of his physicians, Dr. J. H. Hartmann, told me that once, taking care of Mr. Wallis' throat, he found him one day with a very bad cough. When he called the next day he found Mr. Wallis no better and said: "Your cough is no better." "No," said Wallis, "but it ought to be, for I have been practicing with it for twenty-four hours."

In 1886 I lent Mr. Wallis a memorial volume containing the public addresses of a recently deceased Governor of Connecticut, Richard D. Hubbard, an eminent lawyer with literary and political predilections much of his own type. From a letter written when

he returned the book, I extract a passage upon an interesting subject that expresses sane views: "I have been much impressed by the selections given from Governor Hubbard's public addresses and especially those delivered in honor of his deceased professional associates. They are singularly graceful and eloquent, and full of manly and discriminating candor which is very rare in discourses of their class. It is very difficult for a man of good feeling to abstain from exaggerated praise in speaking to a sympathetic audience of the newly dead. It is thus that memorial addresses are almost universally made simple eulogies, and it requires a man of much force of mind and character and a strong sense of self-respect and the respect which is due to the dead, as well, to abstain from falling into the usual routine. Above all it requires infinite tact to speak with frankness and discrimination and yet leave no sign of cold or over-unsympathetic temper." Then mentioning one or two of these memorial addresses he says: "The merit of which I am speaking is not merely one of cleverness and ability in the speaker, but is of great public importance, as it secures to the people the true moral lesson of the lives of prominent men. It elevates likewise the public sense of the integrity of those to whom they listen, and their superiority to the shame and false pretenses which are now so much the demoralising staple of our public speeches."

There are a few lines in a poem written by Rev. Dr. E. P. Parker of Hartford, Connecticut, at the time of the death of Governor Hubbard, that apply so well to Mr. Wallis that I cannot desist quoting them:

"The lips are silent which alone could pay
His worthy tribute."
. . . . . .

"Amid the fickle and faint-hearted throng,
His heart was ever steadfast, brave and strong.
His counsel gave us light
His courage gave us might
To see the right, to wrestle with the wrong."

In the gray of an early morning in July, 1863, Hugh L. Bond, at the time Judge of the Criminal Court of Baltimore, and

one of the most active Union men in the city was on duty in Mt. Vernon Square as a private in "The Union Minute Men" an organization of citizens that only turned out on extraordinary occasions, when the city was supposed to be in danger of attack from the Confederates, as it was then at the time of Lee's Gettysburg campaign.

Judge Bond was patroling his beat armed with a gun that as he said, "Could not have been fired even with a hammer," when Brigadier-Gen. Dan. Tyler of Connecticut rode past, with an orderly in attendance.

The Judge presented arms, whereat the General sent the orderly to ask some questions. After receiving a reply, the orderly in a friendly spirit said, "By the way, you hold that gun wrong; with the barrel out instead of *in*, as it should be at 'Present Arms.'" The Judge replied: "No, it's all right; I see that it is General Tyler; he was a guest at my house yesterday with his staff and they drank up all the whiskey we had in the house, and I hold the gun in this fashion in order that they may know the barrel is *out*." When the message was reported to the stately old General, he smiled grimly as he rode away.

I was an aide-de-camp on the staff of General Tyler (who by the way was the grandfather of Mrs. Theo. Roosevelt) at the time of the incident, and upon my return to Baltimore as a resident in 1882 was very glad to renew my acquaintance with Judge Bond. During the last decade of his life I had ample opportunity, both at his house and the Athenæum Club, to listen to his many interesting reminiscences of the Civil War and the great actors therein with whom he had been associated. Judge Bond was a strong partisan and his always decided opinions were sometimes based on too strong prejudice, but they are too characteristic to be omitted in any fair sketch of his life.

Of especial interest were his reminiscences of President Lincoln and Secretary Stanton, both of whom, and especially the latter, he saw quite frequently during the days of the Civil War. His first interview with Mr. Lincoln was when at the earnest request of Mayor George Wm. Brown, he went with a committee of three or four prominent Baltimoreans, among whom was Mr. Wallis and

the Mayor, to visit the President on the night of the memorable 19th of April, 1861, to request that for the time being at least no more Union troops be sent through Baltimore. Judge Bond was by far the most radical Union man in the delegation and was reluctant to go, but finally consented. They arrived at Washington so late that Mr. Lincoln only saw them for a few moments, but made an appointment for them at 7 a. m. the next day. At that time the delegation was promptly on hand, and when Mr. Lincoln came down in a wrapper, he requested them to wait for General Scott, who soon came limping into the room, and when presented by the President, rose to his feet and bitterly denounced the doings in Baltimore. The party adjourned to the cabinet room, where after considerable discussion, said Judge Bond: "It was suggested by General Scott, who was very impatient in his manner, that the proper way to solve the problem was to land the troops near my house from the Northern Central Railroad and thence march them over to Mt. Clare without going through the city proper." President Lincoln objected that the Southern sympathizers from Baltimore might march out to attack the troops in the fields. He was told that in that event the troops could return the fire without the risk of killing innocent bystanders. This proposition was agreed to at the time, and the committee returned to Baltimore. Judge Bond's pronounced Union sentiment at this time made him socially unpopular and his life was repeatedly threatened. The troops were finally sent from Havre de Grace to Annapolis by water and a few weeks later General Butler took possession of the city by a night march from Annapolis Junction.

The Judge was on quite intimate terms with General Butler, and when the latter was a member of Congress, once heard him deplore the fact that he could not get such terrapin as he desired at Washington, whereupon the Judge promised to send him some from Baltimore, but forgot all about the matter. Six months later he was a guest at a dinner at General Butler's at which, after the soup, the General said: "I had hoped to serve some terrapin at this dinner, some that my friend Bond long since promised, but which have never been received, so I must disappoint you." "Do

you mean to say that those terrapins never reached you?" said the Judge.

"Certainly I do; did you ever send them?"

"Of course I did, months ago, but as I started them by the turnpike perhaps it is not strange that they have not yet arrived, for you know they are slow travelers."

At the famous Twelfth Night dinners at the Athenæum Club over which Mr. Wallis presided, when his health permitted, the cross fire of give and take in jest and repartee between Wallis and Judge Bond was delightful and fully justified membership in the Club. Not long after the death of Mr. Wallis, his portrait by Neale was hung in the Club parlor. After careful inspection an artist member commented: "I don't altogether like the expression of the mouth." To this Bond replied, "Yes; the expression of Wallis' mouth troubled a great many people."

Judge Bond was far from faultless, bitter of speech and sometimes reckless of utterance, yet gentle of heart and he had the good fortune to live down many of the animosities of the Civil War, so that among the warmest words of eulogy after his death were those of that brave and ever-unreconstructed old Confederate soldier, General Bradley T. Johnson.

My acquaintance with General Johnson began in this society. From the start I was impressed with his earnestness and fearlessness, and shared with him a feeling that in those days the society was a little timid in avoiding mention of recent history. This feeling led me to move at a society meeting "That General Bradley T. Johnson and Judge Hugh L. Bond be requested to furnish the society with papers on their recollections of the Civil War," which, to my agreeable surprise, was carried without opposition. Next morning one of the city papers in its report of the meeting said that we had voted that "General Johnson and Judge Bond be requested to write a paper on the Civil War." Both those gentlemen laughingly agreed with me that as Horace Greeley would have said, such a paper "Would be mighty interestin' readin'."

When at one time I read to the Maryland Historical Society a

paper on that gallant Union soldier, General John R. Kenly, the paper was followed by a stirring and magnanimous address from General Johnson paying high tribute to his old foe. This was especially interesting from the fact that General Johnson as Colonel of the First Maryland Confederate Regiment at the battle of Front Royal, Va., had crossed swords with General Kenly, then Colonel of the First Maryland Union Regiment in an arduous conflict which ended in the capture of Colonel Kenly and most of his men. Immediately after the battle Colonel Johnson called upon Colonel Kenly, whom he found lying upon the field severely wounded and offered him every attention possible with a chivalrous manner that Kenly never forgot. It has ever seemed to me that in due time the rooms of this society would be a fitting place in which to hang a picture of this scene of Maryland bravery and chivalry.

Fellow members for years of the University Club, we used to have good humored discussions over the battles of the Civil War, my ablest coadjutor being the late General John Gibbon of whom General Johnson was personally very fond. Sometimes the discussions between these two old soldiers grew so warm that nothing but their high personal regard prevented a social rupture. When Gibbon died no warmer tribute was paid him than by General Johnson.

Just prior to the Spanish War, General Johnson went to Cuba as a war correspondent of a New York paper. As an intimate friend of our consul General Fitz Lee, he incurred the enmity of the Spanish Captain-General Weyler and was constantly spied upon. I recall the amusement with which he told, after his return, the story of having arranged for him by some Cuban sympathizers a meeting in a dark room with a distinguished Cuban officer who came through the lines into Havana to give some interesting information, who embraced him heartily as they parted. A few days later the friend who arranged the meeting advised General Johnson that the Cuban officer had sent him a photograph of himself, when he was much surprised to find that the Cuban was as black as the ace of spades.

Devoted to his accomplished wife, who died a year or two

before him, General Johnson retired to a country home in Virginia, whence he kept up a most interesting correspondence till shortly ere his death, his last letter being an earnest invitation to his old Yankee friend to send his ten-year-old boy down to his plantation in Virginia that he might teach him how to shoot.

General Johnson died in Virginia, in October, 1903, and was buried from Christ (Episcopal) Church in Baltimore, of which he had been a member when here. The funeral was most impressive. The coffin was covered with roses, but under them was a shot-riddled banner of the old First Maryland Regiment that he had so often led in battle. Outside the band played the Dead March from Saul, while the musical bells of the church tolled their knell for the old soldier, as his coffin was carried up the aisle preceded by the clergy in their robes, followed by his family, including a grandson in the uniform of a cadet in the United States Navy, and limping along behind, some of them in gray, many of the survivors of his own, and other Confederate commands, and the most impressive of all a forever-furled conquered banner of the "Lost Cause" borne by an old standard bearer. When the organist sounded the chords, the choir voiced forth the grand old hymn which I am told was ever a favorite in the Confederate Army, "The Son of God goes forth to war." When the old soldiers of both of the armies present, held themselves erect with eyes that flashed something of the old fire, as the light fell through the stained glass windows upon the solemn faces of those assembled, one recalled Montgomery's classical hymn:

"Here in the body pent,
Absent from thee, I roam,
Yet nightly pitch my moving tent,
A day's march nearer home."

Among my literary and artistic treasures is a much valued photograph of a very handsome man in full military uniform on the back of which is written, in his own hand, these lines:

"Once in the gray—now in the blue
But in either and always—"tender and true."

The picture is that of Henry Kyd Douglas taken when he was Adjutant-General of Maryland and sent me with his kindest regards about the time of the Spanish War. It is a superb likeness of a man whose personal friendship I enjoyed.

In what now seems a very distant past, General Douglas and myself served in opposing armies and somewhat of the story of his brilliant war record was known to me at the time, and I have heard ladies residing at that much-fought-over town, Winchester, Virginia, describe with vividness what a striking picture he made as he dashed through the streets on horseback fighting with desperation a squad of Union Cavalry, yet gaily bowing to the ladies he knew as he rode past their homes. To them he had been a veritable Prince Rupert, and with their sex he was ever a favorite. Recalling my own acquaintance with him, it began about 1883 when I was returning from a reunion of Federal soldiers on Antietam battle field. We rode together to Baltimore and this was the beginning of a friendship that lasted throughout his life. About 1885 we began a correspondence that was kept up until within a year of his death and the packet of his letters contains very much of interest from which I should be glad to quote at length.

Miss Julia Marlowe, the actress, was a friend of each of us, and after seeing her in *Barbara Frietchie*, I wrote Douglas to see it when he had an opportunity, and write me his opinion, he did so, and in January 1900 wrote me a delightful letter from which I quote:

"I saw the new *Barbara Frietchie*. It is a curious jumble with nothing in it but Julia Marlowe, and she is in it up to the eyes and heart. When I called upon her I found her as fascinating off, as on the stage. I told her that since you had asked me once to dine with her, I had a great desire to meet her. The new *Barbara Frietchie* was interesting and amusing to me for reasons that did not appeal to you. I failed to recognize the semblance of Stonewall Jackson who marched across the stage on foot, but I did have a shudder when Barbara was shot and fell backward across the railing for I was afraid that she would break her neck, or ruin her dress. I have a picture of this Barbara and one of

the old, I think I will put them in a frame, congratulating myself that I have had greater luck than Jackson in that I saw the new and beautiful Barbara, while he never saw even the old one."

Somewhere about 1890, General Douglas delivered in Boston the first of a course of lectures in which Union and Confederate officers alternated. In opening, he said to his audience that reflecting that as this had been his first public appearance in Boston since the Civil War, some act of penance might be necessary, so he had that day climbed Bunker Hill Monument, but "As between repeating that climb and rebelling again, I shall rebel every time." In the audience there happened to be an old lady who was a lineal descendant of Major Warren, who was so much amused and pleased at this that she sent General Douglas an invitation to take tea with her the next evening, which he did to her great enjoyment.

Of lofty and aristocratic bearing, it has been said that General Douglas never was popular with the masses, but he was very dear to those closest to him, and to me he was ever a true and loyal friend. As I pay my little tribute to his memory, in this grand old state that he loved so dearly and served so well under whatever flag he stood, and think of his handsome figure, earnest face and attractive manner, I am reminded of the last scene in the great French play, *Cyrano de Bergerac*, where that fearless soldier and unselfish lover rises to his feet in the face of death, and with drawn sword defies the grim tyrant and utters these striking lines just ere he falls at the feet of his lady love:

> "One thing is left in spite of you
> Which I take with me, and this very night
> When I shall cross the threshold of God's house,
> And enter bowing low, this I shall take
> Despite you, without wrinkle, without spot,
> And that is my stainless soldier's crest."

Colonel John L. Thomas was a member of the Maryland Historical Society and of the Athenæum Club. He wrote several papers for the society, notably an admirable one upon "Margaret Brent." Colonel Thomas held several federal offices, and was a member of Congress from Baltimore from 1865 to 1867. He

was collector of the port of Baltimore during Grant's first term and again under Hayes. He was an extensive traveler and newspaper correspondent and had a wide acquaintance among prominent men in public life and his reminiscences were always entertaining. I was at a public dinner given him in 1882 when he gave up the collectorship to Colonel E. H. Webster, and was also once a fellow-traveler on an excursion trip to Aniston, Ala., in the course of which he told some very interesting tales of Presidents Lincoln and Johnson.

Of the latter, he said that he was present when he was inaugurated as Vice-President, and that Johnson was beyond question much under the influence of liquor at the time, and even shook his fist at the Diplomatic gallery, in the course of his first address to the Senate. In justice to Mr. Johnson, it is but fair to say that in a paper recently published in the *Century Magazine*, Mr. W. H. Crook, who was attached to the White House in some capacity during Johnson's administration, emphatically states that Mr. Johnson had been seriously ill just before his going to the Senate, and had drunk a full glass of brandy as a medicine which produced the unfortunate effect. He asserts that Mr. Johnson, though never a total abstainer, was not an intemperate man while in the White House. On the other hand Ex-Senator Stewart of Nevada, in his recently published *Memoirs*, insists that Mr. Johnson was frequently intemperate.

Colonel Charles Marshall, for many years a leader of the Baltimore bar, a Virginian by birth, and a descendant of Chief Justice Marshall, was another old Confederate soldier with whom my associations here were delightful. He had served with distinction as military secretary to General Lee's staff and his reminiscences of that great soldier were of much interest. It having been asserted that General Lee had not much sense of humor, Colonel Marshall told several anecdotes in his own experience that prove the contrary.

On one occasion he had been sent by General Lee to deliver an order to the commanding officer of a regiment apparently on the eve of an action. Arriving at the regimental headquarters, some distance away, Colonel Marshall found the enemy had changed its

position since he started and the condition of affairs had somewhat altered. In view of this he took the liberty of modifying the nature of General Lee's order to meet, as he thought, present exigencies. On his return he at once explained what he had done, to General Lee, who listened but said nothing. Next morning at breakfast, General Lee narrated a story to the effect that during the Mexican War, General Twiggs, with whom Lee was then serving, had a number of young officers fresh from West Point sent out to serve on his staff. One day General Twiggs sent one of these youngsters with an order to one of his brigadiers. On his return, the aide said:—"General, I took the liberty of modifying your order before delivering it, as I saw a way in which it could be improved." General Twiggs' only comment was, "I do wish that Uncle Sam would stop sending me young men who know so much." No comment was made on the story, but, said Colonel Marshall, "There was a twinkle in General Lee's eye that pointed the moral."

Democrat as he was, and Southerner as he was, Colonel Marshall was never a bitter partisan, and I recall with pleasure seeing him one night speak on the platform at one of our reform campaigns when General Adam King, a soldier of the Union who followed him, shook hands with him on the stage and congratulated him. So, too, when once I visited Virginia, he gave me a most kind letter of introduction to Governor Fitzhugh Lee and wrote me, inclosing the letter, a note saying, "I assure you that I feel towards the generous enemies of old time as if they were my comrades." Again it was my good fortune to hear Colonel Marshall give an address before the University Club of Baltimore which closed as follows:—"And this was the end of the operations of the Army of Northern Virginia, for which in view of all that has happened since, I can honestly say, thank God."

It was my rare good fortune once to have Colonel Marshall at my own house at dinner to meet two U. S. Senators, Hawley and Manderson, each of whom had served as Brig. General in the Union Army. The whole talk was delightful, especially so when Marshall told the story of the surrender at Appomattox, he being at the time of which I speak, the only Confederate officer surviv-

ing who had been in the room where the negotiations were concluded. As he closed, one of the Senators said :—"Colonel, how did the conduct of General Grant impress you at the time?" He replied, "General Manderson, had General Grant and the Union officers present on that occasion, rehearsed their conduct for weeks they could not have acted more generously; one would have thought we were the conquerors, they the conquered." The anecdote, and the manner in which it was told greatly endeared the Colonel to the Senators.

It may be asked "What of your friends here among those who served in the Union Army?" My reply is that I yield no jot or tittle of my admiration for these men, but to most of them, I have paid lengthy tributes in public or in print, to one, General Kenly in a paper read to this Society some years ago.

The most distinguished Union officers whom I knew here were General John R. Kenly, General John Gibbon, General Charles E. Phelps and Admiral George B. Balch. General Kenly was one of the bravest, but most modest of men that ever lived. With a fighting record in two wars that has hardly been surpassed by any son of Maryland, he was so retiring that but few knew him. He would not accept the office of sheriff, as he held it as an office unfit for a gentleman, nor would he ever accept a pension though severely wounded in the service, and in his later life in dire pecuniary distress. If ever Maryland erects statues to its Union heroes, there should be one to John R. Kenly, and one to Henry Winter Davis who does not come into this paper, as I never met him, but who was loyal to the core in days that tried men's souls. Major General John Gibbon of the regular army spent the last years of his life in Baltimore and died here in 1896. My reminiscences of this good soldier whom I had known on the field in the Civil War and after retirement, here, have been published in a Military Service Magazine, but it is but fair to say that both in the Civil War and in our Indian Wars, he had an untarnished record for ability and bravery. Fearless in action, in private life General Gibbon was magnanimous in high degree, as was illustrated by his remark concerning Chief Joseph, the Indian leader who

had given him the most trouble in the war, and was responsible for his severest wound. After the final capture of Joseph, the two became warm friends and of him Gibbon said: "That he was one of the truest gentlemen he ever met."

Several years ago General Charles P. Hughes, of the Army published a magazine article concerning General Custer. In this paper, General Hughes, who had served on the staff of General A. H. Terry, the Department commander, at the time of the Big Horn massacre, which had proved fatal to Custer and his entire command, severely criticised Custer's conduct in the campaign and charged that the disaster was owing to his gross disobedience of orders. General Gibbon had served in the campaign and knew the facts. When asked as to the truth of the criticism he replied: "Judge no man whose lips are forever closed by death so that he cannot explain the motives that impelled his action."

Of all who have served in the Union cause, who have lived in Baltimore, probably no one was as distinguished as Rear-Admiral George B. Balch, who lived here after his retirement from the navy in 1882 until a year before his death, which occurred at Raleigh, N. C., last April. Although born in Tennessee, Admiral Balch was loyal to the Union and had a very brilliant record in the Civil War. A member of Commodore Perry's famous Japan expedition in 1853, he was delighted to be a guest with the Japanese minister at the Johns Hopkins commencement in 1883. Speaking of his first visit to Japan, with Perry, he said:—"Never have I met more polished gentlemen, and I rejoice that I witnessed the birth of the new Japanese nation."

Brave as a lion, yet gentle as a lamb, Admiral Balch was an earnest Christian, a tender husband, father and ever loyal friend. Dying at the age of eighty-five, he was a senior officer of the navy and senior member of the Military Order of the Loyal Legion. In his honor, our Maryland Commandery of the order provided an escort for his funeral at Annapolis, consisting of our commander, all three of our ex-commanders and our recorder. We marched each side of the hearse with the commander and entire corps of cadets from the Naval Academy following, to his grave

in the beautiful burying ground by the banks of the Severn, in full view of the splendid institution of which he was for a long time the head. As we laid him to rest amid the firing of guns and the requiem of music, it bethought me of E. C. Stedman's poem on the death of Admiral Stewart as the most fitting for the occasion :

"Lay him in the ground,
Let him rest where the ancient river rolls,
Lay him gently down,
The clamor of the town
Will not break that slumber deep,
The beautiful ripe sleep
Of this lion of the wave,
Will not trouble the old Admiral,
In his grave."

General Charles E. Phelps, who passed away in the closing days of 1908, was another loyal son of Maryland to whom I would gladly pay more elaborate tribute than my time now permits. As a volunteer soldier in the Civil War he rose to be Lieutenant Colonel of the 7th Maryland Infantry and to a Brevet Brigadier Generalship, wearing a medal of honor for distinguished gallantry in the field. Severely wounded in an action in which he fell in advance of his troop he was taken prisoner by the enemy but fortunately recaptured. Returning home to recuperate and for treatment of his wound, he was nominated as a union candidate for Congress as a successor to Hon. Henry Winter Davis, that peerless son of Maryland, and was elected for two consecutive terms during which he proved himself by his votes and speeches as magnanimous to his old foes of the South as he had been fearless in battle against them in the field. In 1882 he was elected on a non-partisan reform ticket as one of the Judges of the Superior Court of Baltimore, was re-elected in 1897 and only retired on account of the infirmities of age in 1908. A brave and able soldier, excellent Congressman, learned, wise and just judge and finished scholar, his writings and speeches always commanded attention, and his oration before the Maryland Historical Society in memory of Mr. Wallis was the finest tribute that has as yet been paid him.

My paper must draw towards its close without my dwelling upon the names of many others I have known. First and foremost of these are the late honored ex-president Daniel C. Gilman of the Johns Hopkins University, a native, I am proud to say, of my old New England town, Norwich, Conn., "The Rose of New England," where he died and where he was laid to rest so recently. He was almost the only man known to me when I came here and I owe him loving tribute, as I do many others. Of these are Colonel Richard Malcolm Johnston, "The Vicar of Wakefield of American literature," whose inimitable tales of the life in old Georgia were as sweet and wholesome as his own life. A prince of the Church of Rome conducted his funeral, but his chief mourners are the common folk of whom he wrote. Then there was Judge George Wm. Brown, simple of manner yet brave of heart, as he so well showed on the historic April day when as Mayor he walked our streets to protect that Massachusetts regiment. Also Judge John A. Campbell, great jurist and able official of the short-lived Confederacy; your venerable ex-presidents, J. H. B. Latrobe, John B. Morris, John W. McCoy, that literary Mæcenas; Enoch Pratt, with his public generosity and private thrift; Dr. John Morris, who claimed to have been the original Civil Service Reformer here when Postmaster under Buchanan; Prof. H. N. Martin, the great biologist; Prof. H. A. Rowland, the greatest American electrician of his day; the diplomats J. W. Partridge and Carroll Spence; the brilliant and too versatile Innes Randolph and the pessimistic but earnest Catholic, J. R. Randall, of "My Maryland" fame; the popular theatre manager, John T. Ford; the fine orator and statesman, John V. L. Findlay; the friends of good literature, and each other, Drs. L. W. Steiner and C. C. Bombaugh; the devoted soldier of the cross, whose young life burned out all too soon, Rev. C. C. Griffith, of Ascension P. E. Church, and those brilliant wits, Joseph Cushing and Basil Gordon.

Last but not least of most precious memories of my life in Baltimore are of a bevy of lovely Maryland women. First of these was Miss Emily Harper, daughter of a great lawyer, and herself a grand dame of the old school and worthy recipient of the

Golden Rose bestowed upon her by Pius IX. Another was the beautiful, accomplished, and daring devotee of the Southern cause, Mrs. Hetty Carey Martin, with whose picture in one of your photograph galleries, I fell in love when on duty here in 1862 and with whom I was fortunate enough to become on very friendly terms twenty years later. The other two ladies, the hospitable Mrs. Hugh Lee and the clever and amiable novelist, Mrs. Mary V. Tiernan were equally devoted to the Lost Cause, but equally courteous to its old foe.

Fellow members of the Maryland Historical Society, to you I will say my paper will have served its purpose if it helps you to realize that it is not always necessary to hark back to the seventeenth and eighteenth centuries for subjects of interest in Maryland history; and it needs no ghost to come from Denmark nor newspapers from Massachusetts to teach us that

> "A man's best things are nearest him,
> Lie close about his feet."

LANGFORD'S REFUTATION.

[This is the second of the documents referred to in Editorial note, Vol. III, p. 228.]

A JUST AND CLEERE

REFUTATION

OF A FALSE AND SCANDALOUS PAMPHLET

ENTITULED

BABYLONS FALL IN MARYLAND &c

AND

a true discovrey of certaine strange and inhumane proceedings of some ungratefull people in Maryland, towards those who formerly preserved them in time of their greatest distresse.

To which is added a law in Maryland concerning Religion, and a Declaration concerning the same.

By John Langford, Gentleman, servant to the Lord Baltimore.

Hee that is first in his owne cause seemeth just, but his neighbour commeth and searcheth him. Prov. 18–17.
Whose hatred is covered by deceit, his wickednesse shall be shewed before the whole Congregation. Prov. 26–26.

London, Printed for the Author, 1655.

A Just and Cleere Refutation of a False and Scandalous Pamphlet &c.

Having lately met with a Pamphlet, entituled, Babylon's Fall in Maryland &e whieh layes many false and scandalous aspersions upon the Lord Baltemore, his government and Offieers in Maryland, put forth by one Leonard Strong and attested by William Durand pretending to be Seeretary of that Provinee, It was thought fit, in regard I have beene aequainted with and imployed by my Lord Baltemore in his affairs relating to that Provinee, both heere and there, for above twenty years last past, That I should publish this brief Refutation thereof, to undeeeive such as may be deluded by it.

Captain Stone (who is well known to be a Zealous and well affeeted Protestant) being Governour of Maryland under the Lord Baltemore did reeeive and protect in Maryland those people and their families mentioned by Mr. Strong when they were distressed in Virginia under Sir William Berkley, among which is to be noted that Mr. Richard Bennet (afterwards Governour of Virginia) was one, and thereupon a Commission was granted by Charles Stuart the eldest son of the late King to Sir William Davenant, eonstituting him Governor of the said Province, alleadging therein the reasons to be, because the Lord Baltemore did visibly adhere to the Rebels in England (as he terms them in that Commission) and admitted all kind of Seetaries and Sehismatieks, and ill affected persons into that Plantation.

These people seated themselves at a place called by them Providenee, but by an Act of a General Assembly there called Anne Arundell in Mariland and there was nothing promised by my Lord or Capt. Stone to them, but what was performed, they were first acquainted by Capt. Stone before they came there, with that oath of Fidelity, which was to be taken by those who would have any Land there from his Lordship, and the oath which was required of them to take before they could have any Patent for Land there, was ratifyed by an Aet of a General Assembly of that Province, wherein those very men had their Burgesses, there

being an expresse Clause in it, That it should not bee understood to infringe or prejudice Liberty of Conscience in point of Religion, as will appeare by the Oath itselfe, nor had they any regrett to the Oath till they were as much refreshed with their entertainment there, as the Snake in the Fable was with the Countryman's breast, for which some of them are equally thankfull.

But it is now, it seems, thought by some of those people too much below them to take an Oath to the Lord Proprietary of that Province, though many Protestants of much better quality, have taken it and (which is more then can be hoped for from some of these men) kept it.

As to the Government there, they knew it very well before they came thither, and if they had not liked it they might have forborne comming or staying there, for they were never forced to either, the chiefe Officers under my Lord there are Protestants, the Jurisdiction exercised there by them is no other than what is warranted by his Lordships Patent of that Province, which gives him the power and priviledges of a Count Palatine there, depending on the Supream Authority of England, with power to make Lawes with the people's consent, and of Martiall Law in cases of Mutiny, Rebellion, or Sedition, without which powers and priviledges, his Lordship would not have undertaken that Plantation, and have beene at so great a charge, and run so many hazards as he hath done for it.

There are none there sworn to uphold Antichrist, as Mr. Strong falsly suggests, nor doeth the Oath of Fidelity bind any man to maintain any other Jurisdiction, or Dominion of my Lords, then what is granted by his Patent; for by expresse words it relates to such only as are therein contained, whatsoever Mr. Strong says to the contrary.

Though some of those people (it seemes) thinke it unfit that my Lord should have such a jurisdiction and dominion there, (unto which he hath as good a right as Mr. Strong or any of those people can claime to any thing they have) yet they it seemes by their arrogant and insolent proceedings thinke it fit for them to exercise farre more absolute Jurisdictions and Dominion there then my Lord ever did, such as in truth are Arbitrary and

Barbarous without any lawfull right or Authority at all, nor are they contented with freedome for themselves of Conscience, Person and Estate, (all of which are establish't to them by Law there and injoyed by them in as ample manner as ever any people did in any place of the world) unless they may have the liberty to debarr others from the like freedome, and that they may domineere, and doe what they please.

As to the pretended Commission mentioned by Mr. Strong from the Supreame Authority of England in 1652, for reducing of Maryland there was no such thing; but the ground of that pretence was this. In September 1651, when the Councell of State sent Commissioners from hence, that is to say, Capt. Dennis, Capt. Steg, and Capt. Curtis, to reduce Virginia to the obedience of the Parliament, the said Councell appointed a Committee of themselves for the carrying on of the Affairs of the Admirallty, to give instructions to the said Commissioners for that business, and Colonel George Thomson being then in the chaire of that Committee, Maryland was at first inserted in their instructions to bee reduced as well as Virginia, but the Committee being afterwards satisfied by all the Merchants that traded thither (who were engaged to assist with their ships in the reducement of Virginia) that Maryland was not in opposition to the Parliament; that Capt. Stone the Lord Baltemore's Leivtenant there, was generally knowne to have beene alwayes zealously affected to the Parliament, and that divers of the Parliament's friends were by the Lord Baltimore's especiall directions received into Maryland, and well treated there, when they were faine to leave Virginia for their good affections to the Parliament; then the said Committee thought it not fit at all to disturbe that Plantation and therefore in the presence of many of the said Merchants, caused Maryland to bee struck out of the said instructions, and the Councell of State did thereupon give License to many Ships to trade at that time to Maryland, but would not permit any to goe to Virginia, till that Colony was reduced to obedience; all which will bee testified by divers Merchants and others to be true.

In this expedition to Virginia Captaine Dennis and Captaine Steg the two chiefe Commissioners (who were present when

Maryland was struck out of the said Instrnetions) were east away outward bound in the Admirall of that Fleet whieh was sent from henee upon that serviee and with them the Originall Commission for that service was lost.

But Capt. Curtes having a Coppy of the said Commission and Instruetions with him in another Ship arrived, safe in Virginia, and there being also nominated in the sayd Commission two other persons resident in Virginia, that is Mr. Richard Bennett before mentioned, and Capt. Cleyborne (known and declared Enemies of the Lord Baltemores) they together with Capt. Curtes proceeded to the reducement of Virginia, which was effected aecordingly; and Captaine Stone being then the Lord Baltemore's Lievtenant of Maryland, did aetually assist them therein—After all which the sayd Mr. Bennett and Capt. Cleyburne went notwithstanding to Maryland, and npon pretence of a certaine Clause in their Instructions, That they should reduce all the Plantations in the Bay of Chesapeake, to the obedience of the Parliament, because some part of Maryland, where the Lord Baltemore's chiefe Colony there is seated, is within that Bay, as well as all the Plantations of Virginia are, they required Capt. Stone and the rest of Lord Baltemore's Officers there, first to take the Engagement, which they all readily subseribed, and deelared, that did in all humility submit themselves to the Goverument of the Commonwealth of England in chiefe under God; then the said Commissioners required them to issne out Writs and Processe out of the Lord Baltemore's Courts there, in the name of the keepers of the Liberty of England, and not in the name of the Lord Proprietary as they were wont to do; wherein they desired to bee exeused, beeause they did eonceive the Parliament intended not to devest the Lord Baltemore of his right there; and that they understood out of England that the Councell of State intended not that any alteration should be made in Maryland, that the Kings name was never used heretofore in the said Writs, but that they had alwayes beene in the name of the Lord Proprietary according to the Priviledges of his Patent, ever since the beginning of that Plantation. That the Act in England for changing of the formes of Writs declared onely, that in such Writs and

Processe wherein the King's name was formerly used, the Keepers of the Liberty of England should for the future be put instead thereof. That the continuing of the writs in the Lord Proprietaries name was essentiall to his interest there, and therefore they could not without breach of trust concur to any such alteration: Whereupon the said Commissioners demanded of Captaine Stone the Lord Baltemore's Commission to him, which he shewed them, and then without any cause at all they detained it and remooved him, and his Lordships other Officers, out of their employment there under him, and appointed others to mannage the Government of that Plantation independent of his Lordship.

By which it appears Mr. Bennet and Capt. Cleyborne took upon them an Authority much contrary to the intention of the Councell of State, and indeed contrary to common sense and reason; for certainly if the Councell had had any excuse to have altered their mind in that particular of Maryland, after they had strucke it out of the sayd Instructions, they would have caused it to have been put in againe by the same name, whereby their Intention might have beene cleerely understood; much lesse could they have any Intention of reducing any place that was not in opposition against them, but in due obedience; so as if Maryland had been by any mistake put in by name to be reduced, upon a supposition in the Councell that it had been in opposition, yet they could not in reason intend that in case their Commission had found when they came upon the place (as they did) that it was not in opposition, that they should reduce it or prejudice any mans right upon that accompt: so that whatsoever was done in Maryland by the sayd Mr. Bennet then Governour of Virginia and the other persons Mr. Strong mentioneth as Commissioners from England for reducing of Maryland, or their subordinate Officers having no firmer foundation from hence, was done without Authority, which makes all those proceedings mentioned by Mr. Strong of his friends and their pretended assembly, there illegall, mutinous, and usurp'd, and the Lord Baltemore and his Officers had just reason to rectifie the same by all lawfull means, other then which they used none, when they reassumed the Government; for by his Lordships Patent he and his Substitutes have

power to make use of what force they can, to compell such as shall unlawfully oppose his Government there, and by a Law made with the consent of a general Assembly of that Province, wherein the sayd people above mentioned had also their Burgesses, it was euacted that such as should by force of Armes oppose the Government there under the Lord Proprietary, or attempt the disinherison or dispossessing him (as those people did before Capt. Stone attempted any force upon them) of his rights or Jurisdiction there, according to his Patent, should be punished with Death and confiscation of their Estates, as is usuall and necessary in the like cases to be done in all such Governments whatsoever; though no such severity is ever put in execution there, but when all fair and gentle means, being first tried to reduce such people to obedience will not prevail.

Moreover that pretended authority of the said Commissioners for reducing of Maryland was urged here in England by Colonel Matthews, Agent for the said Mr. Bennet, and the Colonie of Virginia, when his petition was debated before the Committee of Petitions of the late Parliament which began in July 1653, and was by that Committee dismissed, and yet notwithstanding after the sayd dismission and Dissolution of that Parliament, the sayd Mr. Bennet and Capt. Cleyborne did again in July 1654, come into Maryland and with the assistance of some of the people above mentioned, by force of Armes turned out Capt. Stone and the Lord Baltemore's other Officers, and put others in their roomes, by what Authority no man knows; for although they had, as they pretended, an Authority (which in truth they had not) from the Parliament which was dissolved in April 1653, to do what they did in Maryland in 1652 according to Mr. Strong's relation, yet after the Dissolution of that Parliament the authority from it ceased, so as all proceedings in prosecution thereof was unwarrantable, unless that Authority which they pretended had been given them by an Act or Ordinanee of Parliament for a certain time then not expired, or confirmed by the succeeding supreame Authority heere which it was not.

And although Mr. Strong shelter most of the bloudy actions done by those who imploy him hither, under pretence that the

Governement the Counsellors and Officers in Maryland were Popish, and therefore there must needs be some designe to extirpate those of another Judgement yet he doth not (because indeed he cannot) make appeare any disturbance given by Lord Baltemore's Government to any person there for matter of Religion, but contrariwise it is well known that no Nation affords better Lawes to prevent any difference arising upon that Accompt, nor more freedome of Conscience then that Government doth, as the most considerable Protestants, in that Province have attested by an Instrument under their hands, unto which the sayd Mr. Durand (attestor of the aforesayd Pamphlet) hath also subscribed his name, wherein they doe also acknowledge that the sayd freedome is provided for not only by the sayd Lawes there, with his Lordships assent unto them, but by several other strict Injunctions and Declarations of his Lordships for that purpose.

There are as well affected Councellors and Officers to his Highnesse and this Government imployed and intrusted by the Lord Baltemore in Maryland as any that oppose his Lordship there. And his Highnesse was by Capt. Stone caused to be publikely proclaymed there as Soveraign Lord of that place.

As for the late unhappy contests there which (as Mr. Strong saith) were desired by those people above mentioned to be composed in an amicable way, how doth that agree with their turning Capt. Stone out of his Government in July 1654, by force of Armes, and ferrying their men ouer the River towards Capt. Stone in the last conflict, and the shooting of Ordnance from Capt. Hemans Ship at Capt. Stone, and the blocking up of Capt. Stones Boats by a Barque with two pieces of Ordnance (as Mr. Strong confesseth they did before any hostile attempt made by Capt. Stone upon them) which forced Capt. Stone to engage with them in his own defence. As to Capt. Stones taking away the Records and Arms from those of Patuxent, if he did so it was but what every discreet man ought to have done in the like case, they having been Actors in displacing him as formerly; and lest in his absence they should attempt upon the Colony behind him; but Mr. Strong, I suppose, is the more impudent in alleadging untruths, and endeavouring to smother under them the barbarous

and bloudy actions of those people, because he knows that they have taken order to hinder what they can, all persons & Letters which may come from thence hither, and have imposed Oaths upon all those of concernment whom they had in their custody, that they neither should endeavour to com over into England, nor write any Letters or Petitions into England, to manifest to his Highness the truth of their proceedings in Maryland, which will reflect upon Mr. Strong as much as any one else; nevertheless providence notwithstanding all their diligence to the contrary, hath brought some Letters and Persons lately over from thence, which much contradicts Mr. Strongs Relation of the last contests there viz. a Letter from Mr. Luke Barber to his Highness the Lord Protector, which the sayd Mr. Barber wrote when he should not have been able to have got away from thence, the people above mentioned having detained him as well as others, but afterwards finding means to come hither himself in the same ship wherein hee intended to have sent that Letter, hee thought fit instead thereof to declare by word of mouth to his Highness what was therein contayned, a Copy of which Letter subscribed by the said Mr. Barber is heerunto annexed, and he will affirm the contents thereof upon Oath to be true. Another is a Letter from Captain Stones wife (hee being a Prisoner, and not suffered to write himselfe) to my Lord Baltemore, a Copy whereof is also hereunto annexed: by both which it appears cleerly that Mr. Strong hath omitted to mention the putting to death of fowr of Capt. Stones party by the people above mentioned in cold bloud, severall dayes after the fight, and hath very falsely related Capt. Stones and the Lord Baltemores other Officers proceedings in that last contest as well in relation to his Highness, as to those people above mentioned; wherfore for the present I shall refer the Reader to the said Letters for satisfaction therin, till further proofe bee made thereof in such a way as his Highness shall please to direct; whereupon my Lord Baltemore doubts not but his Highness will be pleased to do him and his Offieers in Maryland right, and to call those to a strict accompt who were actors in the horrid murthers aforesaid: for certainly that pretence of theirs of acting what they did (as Mr. Strong sayes) in his Highness name

will not excuse them; no man I conceive doubting but that whosoever shall presume to put any man to death in his Highness name, without any lawfull Authority from him, doth put a great dishonour upon his Highnesse, and not mitigate but aggravate the crime of murther in so doing.

And lastly though it be a good thing to sing prayses and give thankes to God as Mr. Strong doth at the end of his Pamphlet, so tis a good thing to know God is not mocked, but will render unto every man according to his actions, and vindicate the innocent.

The Coppy of a Letter intended for his Highness

May it please your Highness

Having formerly had the honour to relate to your Highness not only in your Army, but also as a domestick servant, I humbly thought it my duty to give to your Highness a true relation of the late disaster of this Countrey which although it bee not a place any way considerable or worth your Highness trouble, yet when I consider the great care and pains your Highness hath formerly taken both below your selfe, and almost incredible to those that have not been eyewitnesses of them for the true setling of Government, and avoyding the needless shedding of bloud, it gives encouragement to my pen, and assures me that the score upon which I write, will obtain a pardon of your Highness for my presumption, it being humbly and in the name of that great God (whom I know had not your Highness feared would never have so palpably helpt your Highness in your greatest necessity, and fought your Battels) to beg a boon which will I doubt not, absolutely end the needless shedding of bloud, in this part of the World, in regard now both parties pretend to fight for your Highness: My Lord, my humble Petition to your Highness is, that your Highness would be pleased graciously to condescend so low as to settle the Country, so as we may heere understand the absolute pleasure and determinate will of your Highness therein, the disobeyers of which cannot after your Highnesse known pleasure but in a moment perish, and the rest live secure and

happie. My Lord I am an absolute stranger heere, as yet having not been a month in the Countrie, in which time this unfortunate action fell out, so much the sadder, in regard of the common enemie the Indian who ever takes advantage by our intestine troubles being both cruel & potent, & therefore I hope will be a motive to further the charitable condesending of your Highnesse for settling the Country. My Lord having had a very tedious passage being necessitated to stay above two months in Bermudas & above one month in Virginia so that I was above halfe a yeare from the time that I came out of England to my arrivall in Maryland at which arival I found the Country in a great disturbance, the Governour Captain Stone being ready to march with his Army (which heere is considerable if it consist of 200 men) against a partie of men at a place called Anne Arundell who the yeer before (pretending a power from your Highnesse as also that your Highnesse had taken the Lord Baltimores Country from him) bred a great disturbance in the Countrey and withall tooke away the Governours Commission from him, which Governour being since informed by a Gentleman by name Mr. Elkonhead (one that came out of England 2 or 3 months after me) that the Lord Baltemore kept his Patent, and that your Highnesse had neither taken the Lord Baltimores Patent from him nor his Land, hee thought hee might act by the contents of his former Commission from the Lord Baltemore and accordingly went up to reduce those people to the Lord Baltemores Governement, but still under your Highness command as formerly under the Kings, having heer in the Country before I came first solemnly proclaymed your Highness, as also in all Proclamations and publick edicts ending with God preserve the Lord Protector and the Lord Proprietary. Now going up to reduce these people, if possible by fair meanes, a Declaration to which purpose the Governour desiring me to bear him company the march, I got leave to carry to them, in the end of which the Governour did protest, as in the presence of Almighty God, that he came not in a hostile way to do them any hurt, but sought all meanes possible to reclaime them by faire means; and to my knowledge at the sending out of Parties (as occasion served) he gave strict command, that if they met any of

the Anne Arundell men they should not fire the first gun, nor upon paine of death plunder any : these were his actings to my knowledge upon the march ; but comming neerer to them, there was a Ship a Merchant man called the Golden Lion, one Hemans Commander, and as appeares hired by them, having since received his reward of them, who seeing the Governour land his men under the command of his ship, shot at them as they landed over night, and the next morning, continuing his course (as I am credibly informed) kild one of the Governours men, and so began the war which after fell out, for the Anne-Arundell men comming suddenly upon them on the one side and the Golden Lyon being on the other side, they being in a neck of Land invironed round with water, except one little place by which the Anne-Arundel men came in upon them, where after a skirmish the Governour upon quarter given him and all his company in the field, yielded to be taken Prisoners, but two or three dayes after the Victors condemnd ten to death, and exccuted fowre, and had executed all had not the incessant Petitioning and begging of some good women sav'd some, and the Souldiers others ; the Governour himselfe being condemn'd by them and since begd by the Souldiers, some being sav'd just as they were leading out to execution, and since fall a sequestring their Estates, and taking away what they have as if they were meere Malignants, and had fought directly against your Highnesse, in which I cannot but speake my conscience knowing that at their first setting out the generall cry was that they went to reduce the Country and bring it under the obedience of your Highnesse and the Lord Proprietary, as also the Governour who protested to mee before he went out, that had he not been very credibly informed that your Highnesse had not taken away the Lord Baltemores Patent, nor his Land as the Anne-Arundel men pretended, he would not stirre in the business. My Lord, the reason why I take upon mee to give your Highnesse an account of this action is nothing but out of my duty to your Highnesse to give a true and impartiall account of the proceedings heere, in regard they still keepe the Governour and most of the Councell Prisoners, as also all the chiefe Officers till all the shipping is already gone out of the

Country except one, and till that is gone I heare for certain none of them shall be releast, by which meanes, they are not only debard from comming for England (as some desired to answer for what they had done before your Highnesse, and were denied it) but are likewise hindered from writing their grievances, as not being suffered to write to their own wives, but their Letters are broke open, so that I cannot but thinke myselfe bound in conscience to declare the truth, as also to remaine so long as I possesse a being in this world,

My Lord
Your Highnesse most obedient and ever
Loyal Subject
L. Barber.

Maryland this 13. of Aprill, 1655

For the Right Honourable the Lord Baltemore these present Right Honourable :

I am sorry at present for to let your Honour understand of our sad condition in your Province. So it is, that my Husband, with the rest of your Councell went about a month agone with a party of men up to Anne-Arundell County, to bring those factious people to obedience under your Government. My Husband sent D[r] Barber with one Mr. Coursey with a Message to them, but they never returned againe before the fight began. Also he sent one Mr Packer the day after, with a Message, and he likewise never returned, as I heard: but so it is, that upon Sunday the 25 of March they did ingage with the people of Anne-Arundell, and lost the field, and not above five of our men escaped; which I did conceive ranne away before the fight was ended; the rest all taken, some killed and wounded; my Husband hath received a wound in his shoulder, but I heare it is upon the mending. My Husband, I am confident did not thinke that they would have engaged, but it did proove too true to all our great damages; They as I heare, being better provided then my Husband did expect; for they hired the Captain of the Golden Lion, a great Ship of burden, the Captains name is

Roger Hemans a young man and his Brother who have been great Sticklers in the businesse, as I hear. Captain Heman was one of their Councell of War, and by his consent would have had all the Prisoners hanged; bnt after Quarter given, they tried all your Councellors by a Councell of Warre, and Sentence was passed upon my Husband to be shot to death, but was after saved by the Enemies owne Sonldiers, and so the rest of the Councellors were saved by the Petitions of the Women, with some other friends, which they found there; onely Master William Eltonhead was shot to death. whose death I much lament, being shot in cold bloud; and also Lievetenant William Lewis, with one Mr Leggat and a German, which did live with Mr. Eltonhead, which by all Relations that ever I did heare of, the like barbarous act was never done amongst Christians. They have sequestred my Husbands Estate, only they say they will allow a maintenance for me and my Children, which I doe beleeve will bee but small. They keep my Husband, with the rest of the Councell, and all other Officers, still Prisoners: I am very suddenly, God willing, bound up to see my Husband, they will not so much as suffer him to write a Letter unto mee, but they will have the perusall of what hee writes. Captaine Tylman and his Mate Master Cook are very honest men, and doe stand up much for your Honour; they will informe you of more passages then I can remember at the present; and I hope my Brother will be downe before Captaine Tylman goes away, and will write to you more at large; for he is bound up this day for to see his Brother, if they do not detain him there as well as the rest; the occasion I conceive of their detainment there is, because they should not goe home, to informe [your] Honour of the trnth of the businesse before they make their own tale in England, which let them do their worst, which I doe not question but you will vindicate my Hnsbands honour which hath ventnred Life and Estate to keep your due heere, which by force he hath lost. And they give out words, that they have won the Country by the sword, and by it they will keepe the same let my Lord Protector send in what Writing hee pleaseth. The Gunner's Mate of Hemans since his comming down from Anne-Arundell to

Patuxent, hath boasted that he shot the first man that was shot of our Party. All this I write is very true, which I thought goode to informe your Lordship, because they will not suffer my Husband for to write himselfe: I hope your Honour will be pleased for to looke upon my Sonne, and for to wish him for to be of good comfort, and not for to take our afflictions to heart. And nothing else at present, I rest

Your Honours most
Humble Servant

Virlinda Stone.

Postscript.

I hope your Honour will favour me so much, that if my Sonne wants twenty or thirty pounds you will let him have it, and it shall be payd your Honour againe.

Hemans the Master of the Golden Lion is a very knave, and that will be made plainly for to appeare to your Lordship for he hath abused my Husband most grosly.

A True Copy of the Oath of Fidelity to the Lord Proprietary of the Province of Maryland.

I A. B. Doe sware that I will be true and faithfull (so long as I shall be a member of this Province) to the Right Hon. Cæcilius Lord Baron of Baltemore, Lord and Proprietary of this Province of Maryland, and the Islands therunto belonging, & to his Heyres Lords and Proprietaries of the same, and to his Lievetenant or Chiefe Governor heer for the time being: And will not at any time by words or actions in publique or in private, wittingly or willingly, to the best of my understanding, any way derogate from, but will at all times, as occasion shall require, to the utmost of my power, defend and maintain all such his sayd Lordships and his Heyres just and lawfull Right, Title, Interest, Privileges, Jurisdictions, Prerogative, Propriety and Dominion, over and in the sayd Province and Islands thereunto belonging, and over the people who are or shall be therein for the time being, as are granted to his sayd Lordship & his

Heyres by the late King of England in his sayd Lordships Patent of the sayd Province under the great Seale of England, not any wise understood to infringe or prejudiee Liberty of Conseienee, in point of Religion; And I doe also sweare that I will with all expedition diseover to his Lordship or to his Lievetenant or other Chiefe Governor of the sayd Provinee for the time being, and also use my best endeavour to prevent any Plot, Conspiracy, or Combination, which I shall know, or have just eause to suspeet, is or shall be intended against the person of his sayd Lordship, or whieh shall tend any way to the disinherison or deprivation of his sayd Lordship or his Heyres their Right, Title, Jurisdietion, and Dominion aforesayd, or any part thereof; And I doe swear that I will not either by myself or by any other person or persons, direetly or indireetly take, aeeept, reeeive, purchase or possesse any Lands, Tenements, or Hereditaments within the sayd Provinee of Maryland, or the Islands thereunto belonging from any Indian or Indians to any other use or uses but to the use of his sayd Lordship, and his Heires Lords and Proprietaries of this Provinee, or knowingly from any other person or persons not deriving a legall Title thereunto, by, from or under some grant from his said Lordship or his Heires, Lords and Proprietaries of this Province, legally passed or to be passed under his or their great Seale of the said Provinee for the time being.

So help me God &c.

This Oath was appointed by my Lord to bee taken by everyone who had any Land granted to him in Maryland from his Lordship before any Patent thereof should passe the Seale to him; and it was also appointed to be taken by a Law made in Maryland in an 1649 with the eonsent of the Protestãts as wel as the Roman Catholiks there, by every inhabitant above the age of sixteene yeeres, upon paine of Banishment in ease of refusal and of fine in case of return and a seeond refusall; but it was never yet imposed upon any, nor any ever yet banished or fined for refusall of it, onely they could have no land granted them from his Lordship, unless they tooke it; nor was there any other Oath appointed

to bee taken upon any penalty whatsoever. But there was another Oath appointed for the Governour and Councell onely in Maryland to take, which have these clauses among others in them (viz) That they shall not accept or execute any Place, Office or Imployment in Maryland relating to the Government thereof from any Person or Authority but from the Lord Baltemore or his Heires: and another Clause (viz) that they shall not directly or indirectly, trouble, molest, or discountenance, any person whatsoever in the said Province, professing to believe in Jesus Christ, and in particular no Roman Catholick, for or in [respect] of his or her Religion, nor in his or her free exercise thereof within the said Province. But this Oath was never imposed upon any body, nor any penalty appointed for the refusall thereof; for it was free for any man, if he did not like the Oath not to accept of the place of Governour, or one of the Counce there; & this last mentioned Oath of the Governour and Counce was appointed in the life time of the late King. The Lord Baltemore conceiving it lawfull and justifiable by his Patent to require such an Oath from such as hee should imploy in offices of so great trust into so remote a place; for although by his Patent the sovereign Dominion of that Province bee reserved to the late King, his Heirs, and Successors, yet the immediate and subordinate authority of the Government thereof is granted to his Lordship & his Heyres, so as no man ought to act therein but by an authority derived from him. And hee appointed this Oath to be taken by the aforesayd Officers when he made Capt. Stone Governour and Mr. Thos. Hatton Secretary, and others of his Councell there who being of different Judgement in Religion from himselfe, his Lordship thought it but reasonable and fit that as he did oblige them by Oath not to disturb any there who professed to believe in Jesus Christ, so to expresse the Roman Catholickes in particular, who were of his own judgement in matter of Religion.

A true Copy of a Law made in Maryland entituled, An Act concerning Religion.

Forasmuch as in a well Governed and Christian Commonwealth, matters concerning Religion and the Honour of God

ought in the first place to bee taken into serious consideration and indeavoured to be setled. Bee it therefore ordayned and Enacted by the Right Honourable Cæcilius Lord Baron of Baltemore[1] absolute Lord and Proprietary of this Province, with the advice and Consent of the Upper and Lower Houses of this General Assembly, that whatsoever Person or Persons within this Province and the Islands thereunto belonging, shall from henceforth Blaspheam God, that is curse him, or shall deny our Saviour Jesus Christ to bee the Son of God, or shall deny the Holy Trinity, the Father, Son, and Holy Ghost, or the Godhead of any of the sayd Three Persons of the Trinity, or the Unity of the Godhead, or shall use or utter any reproachfull specches, words, or language, concerning the Holy Trinity, or any of the sayd three Persons thereof, shal be punished with death, and confiscation or forfeiture of all his or her Land and Goods to the Lord Proprietary and his Heires. And bee it also Enacted by the Authority and with the advice and assent aforesaid, That whatsoever Person or Persons shall from henceforth use or utter any reproachfull words or specches concerning the blessed Virgin Mary, the Mother of our Saviour, or the holy Apostles or Evangelists, or any of them, shall in such case for the first Offence forfeit to the sayd Lord Proprietary and his heires Lords and Proprietaries of this Province, the sum of 5 l. sterling, or the value thereof, to bee levied on the goods and chattells of every such person so offending; but in case such offender or offenders shall not then have goods and chattels sufficient for the satisfying of such forfeiture, or that the same be not otherwise speedily satisfied, that then such offender or offenders shall be publickly whipt, and bee imprisoned during the pleasure of the Lord Proprietary, or the Lievetenant or Chiefe Governour of this Province for the time being; and that every such offender and offenders for every second offence shall forfeit 10 l. sterling or the value thereof to be levied as aforesayd, or in case such offender or offenders shall not then have goods and chattels within this Province sufficient for that purpose, then to be publikely and

[1] This title is given his Lordship in his Patent of Maryland.

severely whipt and imprisoned as before is expressed. And that every person or persons before mentioned, offending heerin the third time, shall for such third offence, forfeit all his lands and goods and be forever banisht and expelled out of this Province. And be it allso further Enacted by the same authority, advice and assent, that whatsoever person or persons shall from henceforth upon any occasion of offence or otherwise in a reproachfull maner or way, declare, call or denominate, any person or persons whatsoever, inhabiting, residing, trafficking, trading, or commercing, within this Province, or within any the Ports, Harbors, Creeks or Havens to the same belonging, an Heretick, Schismatic, Idolater, Puritan, Presbyterian, Independent, Popish Priest, Jesuit, Jesuited Papist, Lutheran, Calvinist, Anabaptist, Brownist, Antinomian, Barrowist, Roundhead, Separatist, or other name or terme in a reproachfull maner relating to matter of Religion, shall for every such offence forfet and lose the sum of 10 s sterling, or the value thereof to be levied on the goods and Chattels of every such offender and offenders, the one halfe thereof to be forfeted and payd unto the person and persons of whom such reproachfull words are or shall bee spoken or uttered, and the other halfe thereof to the Lord Proprietary and his Heirs, Lords and Proprietaries of this Province; But if such person or persons who shall at any time utter or speak any such reproachfull words or language, shall not have goods or chattells sufficient and overt within this Province to bee taken to satisfie the penalty aforesayd, or that the same bee not otherwise speedily satisfied, that then the person and persons so offending shal be publikely whipt, and shall suffer imprisonment without Bayle or Mainprise until he, she, or they, respectively shall satisfie the party offended or grieved by such reproachfull language by asking him or her respectively forgivenes publikely for such his offence before the Magistrate or Chiefe Officer or Officers of the Towne or Place where such offence shall bee given. And be it further likewise Enacted by the Authority and consent aforesayd, that every person and persons within this Province, that shall at any time hereafter prophane the Sabaoth or Lords day called Sunday, by frequent swearing, drunkennesse, or by any

uncivill or disorderly Recreation, or by working on that day when absolute necessity doth not require, shall for every such first offence forfet 2s. 6d. sterling or the value thereof: and for the second offence 5s. sterling or the value thereof; and for the third offence and for every time he shall offend in like manor afterwards 10s. sterling or the value thereof; and in case such offender or offenders shall not have sufficient goods or chattells within this Province to satisfie any of the aforesayd penalties respectively heereby imposed for prophaning the Sabaoth or Lords day called Sunday as aforesaid, then in every such Case the party so offending shall for the first and second offence in that kind be imprisoned till hee or she shall publikely in open Court before the Cheife Commander, Judge, or Magistrate of that County, Towne, or Precinct wherein such offence shall be committed, acknowledge the scandall and offence hee hath in that respect given, against God, and the good and civil Government of this Province: And for the third offence and for every time after shall also be publikely whipt. And whereas the inforcing of the Conscience in matter of Religion hath frequently fallen out to bee of dangerous Consequence in those Commonwealths where it hath beene practised, and for the more quiet and peaceable Government of this Province, and the better to preserve mutuall love & unity amongst the Inhabitants here, Bee it therefore also by the Lord Proprietary with the advice and assent of this Assembly, Ordained and Enacted, except as in this present Act is before declared and set forth, that no person or persons Watsoever within this Province or the Islands, Ports, Harbors, Creeks, or Havens thereunto belonging, professing to believe in Jesus Christ shall from henceforth be any waies troubled, molested or discountenanced, for or in respect of his or her Religion, nor in the free Exercise thereof within this Province or the Islands thereunto belonging, nor any way compelled to the beleefe or exercise of any other Religion against his or her consent, so as they be not unfaithful to the Lord Proprietary, or molest or conspire against the civill Government, established or to be established in this Province under him and his Heyres. And that all and every person and persons that shall presume contrary to this Act

and the true intent and meaning thereof, directly or indirectly, eyther in person or estate, wilfully to wrong disturbe, or trouble, or molest any person or persons whatsoever within this Province professing to beleeve in Jesus Christ, for or in respect of his or her Religion, or the free Exercise thereof within this Province, otherwise then is provided for in this Act, That such person or persons so offending shall be compelled to pay treble damages to the party so wronged or molested, and for every such offence shall also forfet 20s. sterling in Money or the value thereof, half thereof for the use of the Lord Proprietary and his Heires Lords and Proprietaries of this Province, and the other halfe thereof for the use of the partie so wronged or molested as aforesayd; or if the party so offending as aforesayd, shall refuse or bee unable to recompence the party so wronged or to satisfie such fine or forfeiture, then such offender shall be severely punished by publike whipping and imprisonment during the pleasure of the Lord Proprietary or his Lievetenant or chiefe Governour of this Province for the time being, without Bayle or Mainprise. And be it further also Enacted by the authority and consent aforesayd, that the Sheriffe or other officer or officers from time to time to be appointed and authorised for that purpose of the County, Town, or Precinct where every particular offence in this present Act contained, shall happen at any time to be committed, and wherenpon there is heerby a forfeiture, fine, or penalty imposed, shall from time to time distrain, and seize the goods and estate of every such person so offending as aforesayd, against this present Act or any part thereof, and sell the same or any part thereof, for the full satisfaction of such forfeiture, fine, or penalty as aforesayd, restoring to the Party so offending, the Remainder or overplus of the sayd goods, or estate, after such satisfaction so made as aforesayd.

This act was passed by a Generall Assembly in Maryland in April 1649, and assented unto by the Lord Baltemore in 1650, and the intent of it being to prevent any disgusts between those of different judgements in Religion there, it was thought necessary to insert that clause in it concerning the Virgin Mary of

whom some, otherwise might perhaps speake reproachfully, to the offenee of others. And in the time of the Long Parliament when the differences between the Lord Baltemore and Colonell Samuel Matthews, as Agent for the Colony of Virginia were depending before a Committee of that Parliament for the Navy, that Clause in the sayd Law eoneerning the Virgin Mary was at that Committee objeeted as an exeeption against his Lordship, whereupon a worthy member of the sayd Committee stood up and sayd, that he wondered that any sueh exception should be taken against his Lordship; for sayes hee doth not the Seripture[1] say, that all Generations shall eall her blessed and the Committee insisted no more on that exception.

The Deelaration and Certifieate of William Stone Esquire, Lievtenant of the Province of Maryland by Commission from the Right Honourable the Lord Baltemore, Lord Proprietary thereof, and of Captaine John Price, Mr. Thomas Hatton, and Captain Robert Vaughan of his sayd Lordships Counеell there, and of divers of the Burgesses now met in an Assembly there, and other Protestant Inhabitants of the sayd Provinee, made the 17. day of April, Anno Dom. one thousand six hundred and fifty.

We the said Lievetenant, Counеell, Burgesses, and other Protestant Inhabitants above mentioned, whose names are hereunto snbscribed, doe deelare and certifie to all persons whom it may eoneerne, That aeeording to an Aet of Assembly heer, and severall other strict Injunctions and Declarations by his sayd Lordship for that purpose made and provided, wee doe heere enjoy all fitting and eonvenient freedome, and liberty in the exereise of onr Religion under his sayd Lordships Government & Interest: And that none of us are any wayes troubled or molested, for or by reason thereof within his Lordships sayd Province.

William Stone Governour
Jo Priee
Robert Vaughan } Councell
Tho Hatton

[1] Lu. 1, 48.

James Cox
Tho. Steerman
John Hatche
George Puddington
Robert Robines
Walter Bain
William Brough
Francis Poesy
*William Durand
Anthony Rawlins
Thomas Maydwell
Marke Blomefield
Thomas Bushell
William Hungerford
William Stumpson
Thomas Dinyard
John Grinsdith
William Edwin
Richard Browne
Stanhop Roberts
William Browne
John Halfehead
William Hardwieke
Elias Beech
Ralph Beane
John Slingsby
James Morphen
Franeis Martin
John Walker
William Hawley
William Smoot
John Sturman

Note that
James Cox and
George Puddington
were then Burgesses
for the people at Anne
Arundell

*Note that this is
the man who attests
Mr. Strongs pam-
phlet before men-
tioned.

George Sawyer
William Edis
John Gage
Robert Ward
William Marshall
Richard Smith
Arthur Turner
William Pell
William Warren
Edward Williams
Hugh Crags
George Whitaere
Daniel Cloeken
John Perin
Patriek Forrest
George Beekwith
Thomas Warr
Walter Waterling

SMITH FAMILY OF CALVERT COUNTY.

CHRISTOPHER JOHNSTON.

(*Continued from Vol. III, p.* 385.)

12. WALTER SMITH[4] died in January, 1755. He married Christian, widow of Thomas Lee (d. 1749) and daughter of Dr. Patrick Sim and Mary (Brooke) his wife. The will of Walter Smith, dated 3 January, 1755, was proved 18 February following—that of his widow, Mrs. Christian Smith, is dated 12 February and was proved 24 March, 1762. By her first husband she was the mother of Thomas Sim Lee, Governor of Maryland, 1779–83 and 1792–94, and Delegate to Congress, 1783–84. Walter Smith and Christian (Sim) his wife had issue:—

i. ELEANOR ADDISON SMITH,[5] mar. John Robert Hollyday of Epsom, Baltimore County, High Sheriff of his County in 1770.

13. JOHN ADDISON SMITH,[4] of Baltimore Town, died 8 May, 1776. He married, 17 October, 1765, Sarah, daughter of William and Sarah Rogers of Baltimore Town. She married, secondly, 9 December, 1777, John Merryman. John Addison Smith and Sarah (Rogers) his wife had issue:

i. ELEANOR ADDISON SMITH,[5] b. 14 Nov., 1766; mar. Nicholas Merryman Bosley, but d. s. p. 3 Feb'y, 1855.
ii. CATHERINE ROGERS SMITH, b. 9 Sept., 1768; d. 18 Aug., 1769.
iii. REBECCA SMITH, b. 4 June, 1770; mar. Henry Nichols, and d. s. p.
iv. RICHARD SMITH, b. 26 March, 1772; lost at sea s. p.
20. v. WILLIAM ROGERS SMITH, b. 25 Nov., 1774; d. 10 June, 1818.

14. WALTER SMITH[5] was born 12 August, 1747, and died in 1804. He married Ann Mackall (b. 12 March, 1753) of Godsgrace, Calvert County, and had issue:—

i. WALTER SMITH,[6] d. unmar.
ii. COL. RICHARD SMITH, U. S. Marine Corps.
iii. JOSEPH SMITH, planter in Miss.; mar. ..... Stockett, niece of Gov. Johnston of La., but d. s. p.

iv. Sarah Smith, mar. ..... Hillen of Calvert Co.
v. Mary Smith, mar. Samuel Chew; d. s. p.
vi. Elizabeth Smith, d. 1825; mar. Thomas Holland Chew (b. 1781; d. 1840), and left issue.
vii. Margaret Mackall Smith, b. 1787; d. 14 Aug., 1852; mar. 18 June, 1818, Zachary Taylor, then Major of Infantry, U. S. A., later Major-General, and President of the United States.

15. Patrick Sim Smith [5] was born in 1742 and died in 1792. He was commissioned a Justice of Calvert County 24 Aug., 1773 (Com. Book), was a member of the County Committee of Observation in November, 1774, and was a member of the Maryland Convention which met at Annapolis, 7 December, 1775, (Force's *Amer. Archives*). He was Second Major of Militia for Calvert County in 1776. Later he removed to Frederick County, which he represented in the State Legislature in 1791 (Assembly Proceedings). He married 1 December, 1768, Anne Truman Greenfield, daughter of James Truman Greenfield and Elizabeth his wife, and granddaughter of Thomas Truman Greenfield and his second wife, Anne, daughter of Col. Walter Smith. Patrick Sim Smith and Anne Truman (Greenfield) his wife had issue :—

i. Walter Smith,[6] b. 14 Sept., 1769.
ii. Christian Sim Smith, b. 2 Dec., 1770; married her cousin Anthony Sim of Frederick Co.
iii. Anne Smith.
iv. Barbara Smith.
v. Mary Smith.
vi. Susanna Smith.
vii. Harriet Smith.
viii. Patrick Sim Smith.

16. Dr. Walter Smith,[5] of Georgetown, D. C., died in Georgetown 29 August, 1796. In the Revolution he was a surgeon in the Maryland Militia, 1776–77 (Heitman's *Register*). He married Esther Belt (b. 1744; d. 21 March, 1814) daughter of Col. Joseph Belt (b. 1716; d. 16 June, 1793) of Montgomery County, and Esther his wife (b. 1722; d. 12 July, 1796) daughter of William Smith of Prince George's County. Dr. Walter Smith and Esther (Belt) his wife had issue :—

i. Walter Smith,[6] mar. Sallie Hoffman and had one daughter; Sallie Smith [7] mar. Hon. William Hunter.
ii. Clement Smith, mar. 1809, Margaret Clare, daughter of John and Mary (McCubbin) Brice, and had issue.

iii. Elizabeth Smith, mar. Richard Ringgold and had issue.
iv. Barbara Smith, b. 1779 ; d. 16 March, 1837 ; mar. Peregrine Ringgold and left issue.
v. Richard Smith, mar. Covington Mackall and left issue.
vi. Matilda Bowen Lee Smith, mar. 4 Sept., 1800, John Cox and left issue.
vii. Sophia Smith, b. 1783 ; d. unmar. 30 Nov., 1860.
viii. Joseph Smith, d. unmar.

17. Richard Smith[5] was living in Frederick County in 1775. In the *Maryland Gazette* of 30 March, 1775, he inserted an advertisement (dated Frederick, March 14th) announcing that he will sell to the highest bidder his property of Hall's Craft, containing 140 acres, and that his brother Patrick will show it to any one desiring to inspect it. Richard Smith married Mary Peter and had issue :—

i. Barbara Sim Smith,[6] b. 21 Oct., 1778 ; d. 15 Sept., 1863 ; mar. John Suter.
ii. Cassandra Smith, mar. Benj. Gott of Montgomery Co. and d. s. p.
iii. Robert Smith, d. unmar.
iv. Sarah Smith, mar. Capt. John Wailes of Calvert Co.
v. Harriet Smith, d. unmar. 4 June, 1875.
vi. Clement Smith, d. unmar.

18. Lieut.-Col. Alexander Lawson Smith[5] was born in 1754 and died in January, 1802. He was commissioned Captain in the Maryland Line 13 July, 1776, and was promoted to Major in 1778. In 1784 he petitioned the Maryland Legislature, and the Committee to whom his claim was referred, report, 7 January, 1785, as follows :—That being Lieut.-Colonel in the Federal Army he resigned his commission in 1780 and accepted a commission of Lieut.-Colonel commandant in a regiment extraordinary raised by the State of Maryland in 1780, with which he joined the Southern Army and continued in the service until recalled by Act of Assembly of this State, passed at October Session, 1780, disbanding the regiment and calling home the officers (Votes and Proceedings of Maryland House of Delegates, 1785). After the war he settled in Harford County and was buried there 26 January, 1802 (*St. George's Register*). He married Martha Griffith (b. 16 September, 1771 ; d. 4 August, 1847), daughter of Samuel Griffith of Harford County, and Frenetta (Garretson) his wife. Mrs. Martha (Griffith) Smith married, secondly, Samuel Jay. Lieut.-Col.

Alexander Lawson Smith and Martha (Griffith) his wife had issue:—

i. Samuel Griffith Smith,[6] b. 25 Dec., 1794; d. unmar.
ii. Francina Frenetta Smith, b. 10 Nov., 1797; d. unmar. 10 Feb'y, 1860.
iii. Maria Matilda Smith, b. 1 July, 1799; d. unmar. 14 Sept., 1860.

19. Dr. Joseph Sim Smith[5] was born in Calvert County and died in Frederick County 5 September, 1822. In November, 1789, he presented a petition to the Maryland Legislature stating that he acted as Surgeon's Mate in the Maryland Line until appointed Cornet in the Partizan Legion, where he continued till the end of the war, and praying to be allowed the same bounty land as the officers of the Maryland Line were entitled to, &c. (Votes and Proceedings, Md. House of Delegates, November Session, 1789). Heitman's *Register* (p. 372) shows that he served, from 1780 till 1782, as Cornet in the First Battalion of Cavalry, Armand's Partizan Corps. After the war he practiced medicine in Frederick County and lived at Taneytown. He was one of the incorporators of the Maryland Medical and Chirurgical Faculty in 1799 (*History of the Faculty*), and was one of its Censors in 1803 (*Ibid.*). On the organization of the Maryland Militia in 1793, Dr. Joseph Sim Smith was appointed Major (Scharf's *Western Md.*, p. 164), and he was one of the Justices of Frederick County, 1802–07, 1814 and 1819 (*Ibid.*). The *Frederick Town Herald* of 14 Sept., 1822, has the following obituary notice:—"Died. At Taney Town, on Friday, the 5th inst., Doct. Joseph Sim Smith, a patriot of '76 and an officer of the Revolution. Doct. Smith fulfilled the various duties of a good citizen with honour to himself and advantage to the community; and by his worth and usefulness had secured the affection and esteem of a wide extended circle of relations and friends, by whom his memory will long be cherished with tenderness and regret." Dr. Joseph Sim Smith married Elizabeth Price (b. 3 August, 1765), daughter of Col. Thomas Price of Frederick County, and Mary his wife, and had issue:—

i. Eliza Smith,[6] d. unmar.
ii. John Addison Smith of Washington, D. C., b. 27 June, 1792; d. July, 1863; mar. his cousin Sally Cox and left issue.
iii. Mary Smith, d. unmar. 1859.
iv. Dr. Samuel Price Smith, b. 21 Dec., 1795; d. s. p. 2 March, 1882; mar. Margaret Watson.

v. Thomas Smith, d. unmar.
vi. Rebecca Smith, b. 1798; d. 12 July, 1879; mar. Reuben M. Worthington and left issue.
vii. Benjamin Price Smith, b. 3 Dec., 1800; d. 15 June, 1862; mar. his cousin Matilda Rebecca Price and left issue.
viii. Matilda Smith, b. 1802; mar. Col. Henry Naylor and left issue.
ix. Clement Smith, d. unmar.
x. George Smith, d. in youth.

20. William Rogers Smith[5] was born 25 November, 1774, and died 10 June, 1818. He married, 2 October, 1798, Margaret (b. 13 April, 1780), daughter of Cumberland Dugan of Baltimore, and his first wife Abigail May. They had issue:—

i. Rebecca Smith,[6] mar. James C. Gittings.
ii. Eleanor Addison Smith, mar. John Sterett Gittings.
iii. John Merryman Smith, d. unmar.

PROCEEDINGS OF THE SOCIETY.

MONTHLY MEETINGS.

December 14th, 1908. Among the donations to the Society announced at this meeting were a water color of the ship *Paul Siemer*, which was built about the year 1800; a copper-plate print of the Rev. Jonathan Boucher; a list of the Baltimore vessels to which letters of marque were issued in 1799; two additional volumes in the series of New York wills, and a calendar of the transcripts in the Virginia State Library.

Resignations were presented and accepted from Miss M. Louisa Stewart and Messrs. H. F. H. Baughman and Joseph F. Jennison.

Miss Bertha Cohen and Messrs. Charles W. Nash and Gordon Claude were elected to active membership.

The proposed amendment to the Constitution, previously noticed was, on motion of Dr. Steiner, adopted. Under this new members who shall be elected during the fall will pay dues of three dollars for the balance of the calendar year, in place of full annual dues, but will be entitled to receive the *Magazine* for the full year.

Attention was called to the fact that the Rev. George A. Leakin, one of the Vice-Presidents of the Society, would attain his ninetieth birthday on the sixteenth of the month, and by a unanimous vote the Corresponding Secretary was directed to convey to Dr. Leakin the cordial congratulations of the Society.

President Cohen spoke of the meeting of the American Association for the Advancement of Science to be held in Baltimore the latter part of December, and recalled the previous meeting of that Association in this city just fifty years ago, on which occasion it was tendered a reception by the Historical Society; he also announced that the Council of the Society had determined to

renew the relations then begun, by tendering the Association a reception on the occasion of its approaching visit. This action of the Council was approved, and the Council was authorized to proceed with the arrangements for the reception.

The paper of the evening was read by Col. William H. Love, entitled "A Quaker Pilgrimage."

January 11th, 1909. Several important accessions to the Library were announced at this meeting, among them being a volume in regard to The London Company, presented as the gift of Mr. Thomas F. Ryan; one upon Snake devices, 1754–1776; and from the University of Uppsala one upon Nicaraguan Antiquities.

The resignation of Mr. A. Hale was presented and accepted, and eight new active members were elected as follows: J. Wirt Randall, Archibald H. Taylor, E. M. Noble, Mrs. Trigant Burrow, Charles R. Miller, Dr. Henry Lee Smith, William F. Lucas and Herbert K. Dodson.

The President made an informal, verbal report to the Society in regard to the reception given to the American Association for the Advancement of Science on the 29th December, the success of the occasion and the appreciation expressed by the guests of the Society.

A brief statement was also made in regard to a circular letter to the members of the Society which had been prepared by a special Committee and sent out on the first of January, requesting the more active interest of all the members of the Society in the extension of the membership of the Society.

Nominations were made by various members for the officers of the Society to be chosen at the annual meeting in February. As those elected will appear in the report of the annual meeting, it is unnecessary to give them in this summary.

Upon announcement being made of the death of former Judge Charles E. Phelps, Judge Stockbridge presented the following minute and resolutions which were unanimously adopted:

"Once more this Society is called upon to note a loss from its roll of members. On December 27th, 1908, Charles E. Phelps,

having accomplished more than the allotted span of human life, passed to his rest.

"His prominence in this community, the variety of his achievements, the well won honors in many fields, and his long sustained interest in and service for this Society, makes it fitting that suitable notice should be taken of his death.

"Born in New England, Maryland became his home early in life, and it was here that his work was done and his honors won. His ability was manifested in widely varied fields of usefulness, and he was successively soldier, legislator, lawyer, judge and author. To whatever subject he gave his attention he brought a well trained mind and earnest zeal, which soon earned for him distinction.

"His comrades in arms, his fellow-members of the Bench and bar have already paid tribute to his worth, each in their own respective spheres. As a member of this Society he was, at the time of his death, one of its oldest members, having been elected on March 2d, 1865, upon the nomination of Mr. Brantz Mayer. His services here have been continuous for many years. After having been upon the Library Committee in 1881 and 1882, he was chosen one of the Vice-Presidents in February, 1895, and re-elected in each succeeding year until 1903, when at his own request, he retired and resumed his place upon the Library Committee, of which he continued to be a member until his death.

"By inclination a student, he delved deeply into historical questions in which his interest had become aroused, and while not a prolific writer, the productions of his pen were characterized by scholarship of a high order and thoroughness of research. These were clearly marked in the address delivered before this Society on the name, "Baltimore."

"He was one of the few remaining links connecting the generation of those who founded this Society with the present, and his loss is alike to be deplored for the tie thus severed, the charming personality which has passed away and the loss of a ripe and rich scholarship, builded upon native ability enriched by a broad and intelligently directed education and deep human sympathy.

"In common with his family, associates and friends we mourn his loss, but preserve a priceless memory.

"It is therefore recommended that the following resolutions be adopted:

"*Resolved*, That the Maryland Historical Society records its appreciation of the loss it has sustained in the death of Charles E. Phelps. A brave soldier, an able lawyer, a just and eminent judge, a zealous student of history, he brought to each occupation a keen intellect, a well balanced judgment and crowned the whole with the pleasing personality of a courteous gentleman.

"*Resolved*, That the foregoing minute and resolutions be entered in full upon the records of this Society, and that the Corresponding Secretary be directed to forward a copy of this action to the family of our departed member."

A paper of exceptional interest was read by Mr. L. H. Dielman upon the Privateers of the War of 1812, especially those sailing from this State, and with extracts from the log book of several of the vessels.

February 8th, 1909. The most striking gift to the Society at this meeting was an old copper lustre pitcher, presented by Mr. Carville Grace through Mr. William H. Lawrence. The pitcher had belonged to the grandmother of Mr. Grace who was living on the North Point Road at the time of the British attack in 1814, and this with other prized family possessions had been sunk in a well on the place, and remained there until after the British troops had departed.

The resignation of Levin Jones was reported and accepted, and twenty-one active and one new honorary member were elected. The latter was the Hon. John Bigelow, and the former were, Rev. Francis X. Brady, W. Graham Bowdoin, Jr., James W. Bowers, Jr., Howard Cassard, Miss H. Frances Cooper, Simon Dalsheimer, William B. Duke, Dr. J. H. Morgan Knox, Jr., Dr. Alexis McGlannan, Mrs. Charles R. Miller, Capt. John C. Moore, Eugene A. Noble, J. LeR. Patterson, William M. Pegram, Mrs. Emily M. Reed, Samuel P. Ryland, Walter R. Townsned

Edward T. Tubbs, Malcolm V. V. Tyson, Bartow VanNess, and Rufus K. Wood.

The Recording Secretary announced the death of Col. William P. Craighill, an honorary member of the Society, whereupon President Cohen said :

"The announcement of the death of General Craighill prompts me to say a few words in regard to our late associate with whom I had a most agreeable acquaintance for many years.

"Brigadier-General William Price Craighill was a distinguished officer of the Corps of Engineers of the United States Army, and was advanced to the head of the corps as Chief of Engineers, during the administration of President Cleveland, retaining that position until his retirement for age from active service.

"Born in Charles Town, now West Virginia, in 1834, he was so long connected with the improvements of the harbor of Baltimore that he was regarded as one of our own citizens, and became identified with its interests in many different ways.

"He became a member of this Society in 1886, and on June 10th, 1895, was elected one of its honorary members. He participated in its proceedings on many occasions. On October 12th, 1891, he offered a graceful tribute to the memory of our then lately deceased President, John H. B. Latrobe. It was an interesting feature of the occasion, and was published as part of the proceedings of the Memorial Meeting.

"On April 9th, 1894, he read a paper, illustrated by a map, prepared by him, on the route of Braddock's troops on their way to Fort Duquesne.

"On April 14th, 1902, he read a paper on "Baltimore, and its Defenses," since published in the Society's Magazine.

"Beside his service to the city of Baltimore in the improvement of its channel, he assisted the former Sewerage Commission of Baltimore in its study of the currents to which the sewage would be exposed after its discharge into the Chesapeake Bay, as recommended by that Commission.

"A further service rendered to our City and State was, as a member of the Commission, appointed in 1894, by President

Cleveland, to determine the most feasible route for the construction of the Chesapeake and Delaware Ship Canal, and which recommended the Back Creek route.

"The personal traits of the man were such as to command the respect and esteem of those who had the good fortune to know him. He was modest and retiring in his disposition, deferential to the opinions of others and yet ready to back and maintain his own views.

"He died at Charles Town on the afternoon of January 18th, 1909. I have prepared the following resolutions, which I will ask Vice-President Harris to present for the action of the Society."

Mr. Harris then offered the following:

"*Resolved,* That this Society receives with profound regret the announcement of the death of Brigadier-General William Price Craighill, one of its honorary members, whose name was borne on the rolls of this Society for more than twenty-two years, and who was a valued contributor to its records.

"*Resolved,* That this tribute to his memory be spread upon the minutes of this Society; that it be published in the *Maryland Historical Magazine,* and that a copy of these resolutions be transmitted to the children of General Craighill."

The resolutions having been read, were unanimously adopted.

ANNUAL MEETING.

Upon February 8th, 1909, immediately following the adjournment of the regular monthly meeting, the annual meeting of the Society was held. This was, as usual, devoted entirely to the business of the Society, and consisted of the presentation of reports from the officers and regular standing Committees, covering the activities of the Society for the year 1908; and the election of officers for the ensuing year.

The officers elected were:

President.

MENDES COHEN.

Vice-Presidents.

W. HALL HARRIS, REV. GEORGE A. LEAKIN,
HENRY F. THOMPSON.

Corresponding Secretary.

RICHARD H. SPENCER.

Recording Secretary.

BASIL SOLLERS.

Treasurer.

WILLIAM BOWLY WILSON.

Trustees of the Athenæum.

WILLIAM H. GREENWAY, MICHAEL A. MULLIN,
CHARLES C. HOMER, EDWARD STABLER, JR.,
OGDEN A. KIRKLAND, J. APPLETON WILSON.

Committee on the Gallery.

ROBERT GARRETT, FARIS C. PITT,
EDWARD G. MCDOWELL, HENRY C. WAGNER,
MILES WHITE, JR.

Committee on the Library.

WALTER I. DAWKINS, EDWARD B. MATHEWS,
RICHARD D. FISHER, FREDERICK W. STORY,
THOMAS HILL, H. OLIVER THOMPSON,
LEWIS W. WILHELM.

Committee on Finance.

MICHAEL JENKINS, R. BRENT KEYSER,
EDWIN WARFIELD.

Committee on Publications.

CLAYTON C. HALL, BERNARD C. STEINER,
HENRY STOCKBRIDGE.

Committee on Membership.

MCHENRY HOWARD, RICHARD H. SPENCER,
DECOURCY W. THOM.

Committee on Genealogy and Heraldry.

KIRK BROWN, CHRISTOPHER JOHNSTON,
B. BERNARD BROWNE, WILLIAM J. MCCLELLAN,
RICHARD M. DUVALL, THOMAS E. SEARS.

Committee on Addresses and Literary Entertainments.

WILLIAM HAND BROWNE, JOSEPH B. SETH,
ANDREW C. TRIPPE.

REPORT OF THE COUNCIL.—In accordance with the provisions of the By-Laws, the Council presents a report of the activities of the Society during the year 1908. These have been continued as in previous years.

The Library has been kept open throughout the year. The Gallery, with a brief interval during the mid-summer, has also been kept available for visitors. Both have been made use of by an increased number of members and others.

The publication of the *Magazine* has been continued with regularity and acceptability.

The publication of the Archives of Maryland, under the supervision of the Society, has also been steadily conducted.

At each of seven monthly meetings of the Society papers of interest have been presented and read to an increased attendance of members and visitors.

Prompted by the fact that fifty years ago at the invitation of this Society, the American Association for the Advancement of Science held its annual meeting in Baltimore and was hospitably entertained by the Society, it seemed appropriate that, on the second visit of the Association to our city during the holiday week of December last, a recognition of the former relation of the two organizations and a renewal of courtesy would be appropriate and acceptable.

In accordance with this view the Society on December 29th held an afternoon reception for the purpose of entertaining the Association. Through the gracious assistance of the ladies, who were so good as to act with the Committee in charge, the result seems to have been entirely gratifying to the large number of members and visitors who participated. The cost of the entertainment has been defrayed by the voluntary subscriptions of members.

MEMBERSHIP OF THE SOCIETY.

	Dec. 31, 1907.	Dec. 31, 1908.
Honorary	2	2
Corresponding	70	68
Active	505	512
Associate	25	27
	602	609

New members during the year:

Active	30	
Associate	2	35
Corresponding	3	
Losses by Death		
Active Members	11	
Corresponding Members	4	28
" " Resignation	13	
Net gain		7

The losses by death during the year have been as follows:

ACTIVE MEMBERS.

BUMP, CHARLES WEATHERS.....March 30.
CREMEN, STEPHEN A.....January 22.
EMORY, FREDERICK.....September 20.
GILMAN, DANIEL COIT.....October 13.
MCKIM, REV. HAZLETT.....June 5.
MCPHERSON, REV. W. B.....July 7.
PARLETT, JOHN F.....October 14.
PATTERSON, J. WILSON.....June 20.
PHELPS, CHARLES E.....December 27.
SMITH, THOMAS MARSH.....April 4.
WEBER, CHARLES, JR.....July 1.

CORRESPONDING MEMBERS.

EVANS, SAMUEL.....April 22.
DEPEYSTER, J. WATTS.....May 4.
RANDALL, JAMES RYDER.....January 14.
SPOFFORD, AINSWORTH R.....August 11.

The TREASURER presented the following:

REPORT OF THE TREASURER FOR THE YEAR 1908.

ACCOUNT OF THE SOCIETY PROPER.

CR.

Annual Dues	$2,395.00	
Interest from Investments	188.00	
Rents, &c.	605.00	
Sundries	24.30	
Balance	1,340.72	
		$4,553.02

DR.

Balance, January 1, 1908	$1,003.45	
Salaries paid for year	2,056.48	
Safe Deposit Boxes	10.00	
Insurance	391.37	
Water Rent, Gas and Ice	74.80	
Coal and Wood	242.90	
Furnishings, Repairs, &c	403.26	
Copying by Miss Harrison	78.00	
Stationery, Printing and Postage	226.63	
Sundries	66.13	
		$4,553.02

STATE OF MARYLAND ACCOUNT.

(PUBLICATION OF THE ARCHIVES OF MARYLAND.)

CR.

Balance on hand January 1, 1908	$ 823.27	
Appropriation from State :		
Due December 1, 1907	1,000.00	
" June 1, 1908	1,000.00	
Sale of Archives	243.32	
		$3,066.59
Editing Volume 28	$ 500.00	
Publishing Volume 28	1,410.55	
Paid Miss Harrison	354.00	
1 Vol. of Archives returned	1.00	
Stationery	10.00	
Balance	791.04	
		$3,066.59

COMMITTEE ON PUBLICATIONS.

On hand January 1, 1908	$1,138.90	
Interest from Investments	451.24	
Sale of Publications	8.93	
		$1,599.07
Transferred to credit of Magazine account	$ 300.00	
Balance	1,299.07	
		$1,599.07

MAGAZINE ACCOUNT.

This account shows a debit balance of $117.44

For particulars of the account see report of Committee on Publications.

COMMITTEE ON THE LIBRARY.

On hand January 1, 1908	$ 949.42	
Interest from Investments	451.26	
		$1,400.68
Paid for Periodicals, Binding, &c	305.77	
Balance	1,094.91	
		$1,400.68

RECAPITULATION.

Society proper, Dr. Balance	$1,340.72	
Committee on Publication, Cr. Balance	$1,299.07	
" " Library, " "	1,094.91	
State of Maryland account, " "	791.04	
Magazine account, " "	117.44	
	$3,302.46	
Dr. Balance	$1,340.72	
		$1,961.74
Eutaw Savings Bank	$1,854.26	
Savings Bank of Baltimore	6.01	
National Union Bank	93.02	
Cash on hand	8.45	
		$1,961.74

MAGAZINE GUARANTEE FUND.

Amount on hand by report of January, 1907	$1,272.82	
Interest credited January, 1907	32.93	
" " " 1908	45.24	
	$1,350.99	
Collected, 1908–09	69.00	
		$1,419.99
Withdrawals in 1907	$ 260.00	
* " " 1908	505.29	
		$ 765.29
On deposit in Central Savings Bank	$ 654.70	
Still due	24.00	
Total fund		$ 678.70

NOTE.—Since January 1st, 1909, twenty dollars have been collected and deposited, leaving four dollars now due.

* Since January 1st there has been refunded to this account from the publication fund $205.29, which, with the twenty dollars collected, makes the true balance of this fund at the date of going to press, $903.99.

THE TRUSTEES OF THE ATHENÆUM reported that a number of minor repairs and improvements have been made to the Building during the past year, and a thorough examination by experts instituted as to its safety and soundness. The result of the latter has been very satisfactory, and there is no apparent, present need for any considerable expenditure in the coming year, except that in the judgment of the Trustees it would be well to paint the exterior of the building, no such painting having been done for several years, except to the roof, which was painted in 1906.

Apart from ordinary repairs certain improvements were made, the most important of which were :

1. Strengthening the gallery in the main room by means of iron rods bolted to the floor above. Apart from other benefits in the way of safety, etc., this enabled the Society to hang the portraits of former presidents to the gallery rail, adding much to the beauty and dignity of the room.
2. The restoration and practically the rebuilding of the stairway leading to the gallery.
3. The complete overhauling and modernizing of the gas-fixtures in all the stories.
4. The placing of swinging doors at the outer doorways.
5. The rubbing down with oil of the rails and balusters of stairway.

The usual fire insurance is carried on buildings and contents, but we renew our recommendation that this insurance be increased.

Report of the COMMITTEE on the GALLERY. Few changes have been made in the gallery during the year. Several excellent paintings by Miss Florence Mackubbin, of Baltimore, have been deposited by the artist.

Portraits of Ferdinand and Isabella, painted by Alfred J. Miller (1810–1874), a pupil of Thomas Sully, were presented to the Society in the name of the late Miss Harriet A. Miller, a sister of the artist, through her nephew and executor Mr. Decatur H. Miller, Jr.

Two noteworthy portraits of Charles Carroll, of Carrollton, of the Mactavish collection were removed from the gallery, and sent to Mrs. C. C. Mactavish at Rome, by her order, one painted in 1815 and the other about 1828, by Stuart and Nichol, respectively.

At the suggestion of the President, in addition to the portraits of the six former Presidents of the Society, they have been removed from the gallery and hung in the main Library Room, the portrait of George Washington by Gilbert Stuart, also those of five of the Revolutionary heroes of Maryland, William Small-

wood, Mordecai Gist, Otho Holland Williams, John Eager Howard and Samuel Smith, thus enhancing greatly the adornment of the Room.

The number of visitors to the gallery was:

January	200	July	84	
February	156	August	16	(closed)
March	258	September	112	
April	203	October	135	
May	213	November	121	
June	150	December	496	
Total,			2144	

an increase of nearly 300 over the previous year.

The COMMITTEE on the LIBRARY reported additions to the Library as follows:

By purchase:

28 volumes of books	$ 75.11	
4 pamphlets	8.79	
1 Current New York Newspaper, 1908	5.60	
4 Current Baltimore Newspapers, 1908	13.56	
1 map	1.00	
Manuscripts	101.00	
Current Magazines for 1908	13.25	
Expended for binding	45.50	
		$263.81

By gift:

370 volumes of books.
804 pamphlets.
10 odd numbers of newspapers.
4 atlases.
2 genealogical charts.
1 box of genealogical newspaper clippings.
3 maps of Maryland and Virginia, 1746, 1752, 1780.
1 water color, ship *Paul Sieman*, 1800.

Manuscripts as follows:

Maryland Campaign of the 6th Mass. Infantry, 1861.
The Case of the "Good Intent," 1770.
Journal of Judge Thomas Jones of Patapsco Neck, 1779–1812.

Photographs:

Memorials of General Ross.
Portrait of Jonathan Boucher.

The Committee further reported that among the manuscripts purchased, were copies of, viz. :

Extracts from the *Maryland Gazette*, for the years 1729, 1730, 1733, 1734, being twenty-five odd numbers of this newspaper in possession of the New York Library (Lenox Branch).

Records from Liber D. B. I. K. L., one of the Record Books on file in the office of the Clerk of the Circuit Court for Somerset County at Princess Anne, Maryland, 1666–1697.

The COMMITTEE ON PUBLICATIONS reported as follows: The publication of the *Maryland Historical Magazine* has been continued during the past year, the third since its inception, thus completing Volume III of the publication, and the Committee believes that under the able and judicious management of its Editor its interest and value have been fully maintained. Efforts will be made, however, to broaden somewhat the scope of subjects treated.

The actual cost of Volume III, when outstanding bills are paid, will be - - - - - - - - -	$1,170.89
Less receipts from advertisements and sales,	474.98
Showing a cash deficiency of - - - - -	$695.81

on account of which there was appropriated from the Magazine Guarantee Fund in October last the sum of $505.29. It is now recommended that there be transferred from the Publication Fund to the Magazine Fund the additional sum of $300.00, and that the sum of $205.29 be restored to the Guarantee Fund from the Publication Fund. There is due from advertisers the sum of $296.87, of which it is estimated that $224.37 can be collected. The remainder is due from persons who have been unfortunate in business or have removed from the city.

Volume XXVIII of the Maryland Archives, referred to in the last report as in course of preparation, has been issued and distributed to members entitled to receive copies. It comprises a continuation of the Council Proceedings from 1732 to 1753, including the brief period (1732–3) during which Charles, fifth Lord Baltimore, exercised the government of Maryland in person,

and extending until two years after the accession to the title of Frederick, sixth and last Lord Baltimore, who was then a minor. In the report of the Committee made a year ago this volume was erroneously described as containing a continuation of the Assembly Proceedings.

Volume XXIX of the Archives has been printed but is not yet bound. It will shortly be ready for delivery. It contains an account of the Proceedings of the Assembly from October 25, 1711 to October 9, 1714.

The FINANCE COMMITTEE reported that they had examined the securities and investments held by the Treasurer, belonging to the Association, and found them intact.

The COMMITTEE on MEMBERSHIP presented the following report:

A considerable increase of the Active Members, about equal to the accession in the year 1907, was largely due, as in 1907, to the efforts of a few—two in particular—of our members. This, while gratifying, is nothing like what the result would be if others would take a similar interest in inducing their friends or relations to join the Society, many of whom would, no doubt, do so on a mere suggestion to have their names proposed for membership. A Special Committee appointed by the Council in the latter part of 1908 has sent out a circular letter to all our Active Members asking their co-operation in bringing in new members, and while the result will properly be shown in the reports of the Society a year hence, it may be stated that the appeal, sent out after the first of January, is already having a gratifying result.

Until the permanent fund of the Society shall have been built up by donations and bequests to it, the Society is dependent on the annual dues of its members for its expenses, which can only be met by an economy which greatly impairs its usefulness.

The COMMITTEE on ADDRESSES reported the list of the various papers read before the Society during the year. These were:

Jan. 13.—"Anna Maria Van Schurman, the Associate of Jean DeLabadie." By Rev. B. B. James, a member of the Society.

March 9.—"Benedict Leonard Calvert, Governor of Maryland, 1727–31." By Dr. Bernard C. Steiner, a member of the Society.

April 13.—"Notes on Ancient Annapolis, and a suggestion for the perpetuation of its most historic event." By Mr. George Forbes, a member of the Society.

May 11.—"The Celebration in Baltimore of the Ratification of the Federal Constitution by the Convention in Maryland." By Mr. Basil Sollers, a member of the Society.

Oct. 12.—"New Light on the Provincial History of Maryland from the British Archives." By Dr. Bernard C. Steiner, a member of the Society.

Nov. 9.—"Distinguished Marylanders I have known."—By Mr. Henry P. Goddard, a member of the Society.

Dec. 14.—"A Quaker Pilgrimage." By Col. Wm. H. Love, a member of the Society.

LIST OF MEMBERS OF THE MARYLAND HISTORICAL SOCIETY.

* Deceased since December 31, 1908.
† Elected since December 31, 1908.
‡ Resigned since December 31, 1908.

HONORARY MEMBERS.

†Bigelow, John, LL. D.....21 Grammercy Park, New York.
Bryce, James, LL. D.....British Embassy, Wash'ngt'n, D.C.
*Craighill, Gen. William Price, *U. S. A. Retired.*
Charles Town, Jeff. Co., W. Va.
Marsden, R. G.....13 Leinster Gardens, London, Eng.

CORRESPONDING MEMBERS.

Alderman, E. A., LL. D.....Charlottesville, Va.
Applegarth, A. C.....Oneida Heights, Huntington, Pa.
Ashburner, Thomas.....1215 Marquette Bldg., Chicago, Ill.
Battle, K. P., LL. D.....Chapel Hill, N. C.
Bell, Herbert C.....Pitchin, Ohio.
Bixby, Wm. K.....St. Louis, Mo.
Black, J. William, Ph. D.....24 Chaplin St., Waterville, Me.
Brasier, William.....26 Liberty St., New York.
Brock, R. A.....517 W. Marshall St., Richmond, Va
Brooks, William Gray.....16 Pemberton Sq., Boston, Mass.
Browne, Henry John.....48 Trafalgar Square, London, Eng.
Bruce, Philip A.....Richmond, Va.
Buel, C. C.....33 E. 17th St., New York.
Chaille-Long, Col. C.....146 C St., N. E., Washington, D. C.
Cockey, Marston Rogers.....117 Liberty St., New York.
Collett, Oscar W.....3138 School St., St. Louis, Mo.
De Witt, Francis.....Ware, Mass.
Dorsey, Mrs. Kate Costigan.....Cong. Library, Washington, D. C.
Durant, William.....Albany, N. Y.
Earle, George.....Laurel, Md.
Eaton, G. G.....1324 S. Capitol St., Wash'n, D. C.
Eden, Rev. Robt. A.....58 Oakley Sq., London, W. C., Eng.
Ehrenberg, Richard.....Rostock, Prussia.
Ford, Worthington C.....Cong. Library, Washington, D. C.

GARDINER, ASA BIRD.....32 Broadway, New York.
GUDEWILL, GEORGE.....193 Water St., New York.
GWYNN, WALTER.....1740 N St., N. W., Wash'n, D. C.
HALL, HUBERT.....Public Record Office, London.
HARDEN, WILLIAM.....226 W. President St., Savan'h, Ga.
HAYDEN, REV. HORACE EDWIN.....Wilkes Barre, Pa.
HERSH, GRIER.....York, Pa.
JOHNSON, B. F.....267 E. Franklin St., Richm'd, Va.
LAKE, RICHARD P.....Memphis Trust Building, Memphis, Tenn.
LAMPSON, OLIVER LOCKER.....Rowfaut, Crawley, Sussex, Engl'd.
LESLIE, EDMUND NORMAN.....Skaneateles, N. Y.
MALLERY, REV. CHARLES P., D. D.....980 E. 160th St., New York.
MUNROE, JAMES M.....Annapolis, Md.
MURRAY, STIRLING.....Leesburg, Va.
NICHOLSON, JOHN P.....Flanders Bldg., Philadelphia, Pa.
OWEN, THOMAS M.....Montgomery, Ala.
OWENS, R. B.....Univ. of Nebraska, Lincoln, Neb.
PARKE, JOHN E.....10½ Sixth St., Pittsburg, Pa.
RANDALL, DANIEL R., PH. D.....Annapolis, Md.
RILEY, E. S.....118 Prince George St., Annapolis, Md.
ROUSE, FRANCIS W.....1218 Chestnut St., Phila., Pa.
SCOTT, ROBERT N.....The Takoma, Washington, D. C.
SHIPPEN, EDWARD.....532 Walnut St., Phila., Pa.
SMITH, JOHN PHILEMON.....Sharpsburg, Md., P. O. Box 164.
SNOWDEN, YATES.....Charleston, S. C.
STEVENS, JOHN AUSTIN.....17 E. 22d St., New York.
STEVENSON, JOHN J.....University Heights, New York.
TAGGERT, HUGH T.....3249 N St., N. W., Wash'n, D. C.
THOMAS, REV. LAWRENCE B.....Nevis, West Indies.
TILDEN, GEORGE F.....Portland, Me.
TROTH, SAMUEL.....401 Chestnut St., Phila., Pa.
TYLER, LYON G., LL. D.....Williamsburg, Va.
WAGNER, CLINTON, M. D.....New York, N. Y.
WEEKS, STEPHEN B.....326 Massachusetts Ave., N. E., Washington, D. C.
WILSON, JAMES GRANT, LL. D.....157 W. 79th St., New York.
WINSLOW, REV. WILLIAM COPLEY.....525 Beacon St., Boston, Mass.
WOOD, HENRY C.....Harrodsburg, Ky.
WORTHINGTON, JOSEPH M.....89 Church St., Ananpolis, Md.

ASSOCIATE MEMBERS.

BOYD, LEROY S.....312 C St., N. W., Wash'n, D. C.
BROCK, MRS. MARY L. BROOKE..... The Portner, 15th and W Sts., Washington, D. C.
CALLAHAN, GRIFFIN C.....6832 Paschall Ave., Phila., Pa.
DENT, LOUIS A.....1719 Riggs Ave., Wash'n, D. C.
DEVITT, REV. EDW. I., *S. J*.....Georgetown College, Wash'n, D. C.
FITZHUGH, E. H.....Montreal, Canada.
GIFFORD, W. L. R.....St. Louis Merc. Lib. Assoc., Mo.
HARRISON, WM. PRESTON.....138 Park St., Chicago, Ill.
HENDERSON, C. E.....Easton, Md.
HUFFMASTER, JAMES T.....Galveston, Texas.
JEWELL, REAR ADM'L THEO. F.....2135 R St., N. W., Wash'n, D. C.
KEITH, ALBERT GUY.....Trowbridge St., Cambridge, Mass.
LEACH, MISS MAY ATHERTON.....2118 Spruce St., Phila., Pa.
MCFADDON, CHAS.....3923 Walnut St., Phila., Pa.
MARTIN, MRS. EDWIN S.....New Straitsville, Ohio.
MERVINE, WM. M.....Edgewater Park, N. J.
MONETTE, ORRA E.....Los Angeles, Cal.
MORSE, WILLIARD S.....71 Broadway, New York.
MOSS, JESSE L.....Newberry Library, Chicago.
RIGGS, E. FRANCIS..... 1311 Massachusetts Ave., Washington, D. C.
ROGERS, MRS. HARRY.....2221 Delancey St., Phila., Pa.
ROSZEL, BRANTZ MAYER.....17 Iowa Circle, Wash'n, D. C.
SEMMES, RAPHAEL.....Savannah, Ga.
SHEIB, S. H.....310½ Union St., Nashville, Tenn.
SPENCER, JOHN THOMPSON.....1507 Spruce St., Phila., Pa.
WILLIAMS, W. MOSBY.....Columbian Bldg., Wash'n, D. C.
WILSON, SAMUEL L.....Trust Co. Building, Lexington, Ky.

ACTIVE MEMBERS.

(Where no P. O. address is given, Baltimore is understood.)

ABELL, MISS ANNIE HELOISE.....Woman's College.
ABERCROMBIE, DAVID.....318 W. German St.
AGNUS, FELIX.....American Office.
ALEXANDER, JULIAN J.....225 St. Paul St.
ALLMAND, JOHN O'G.....112 Chamber of Commerce.
ANDREWS, CHARLES MCLEAN, PH. D....Johns Hopkins University.
ANDREWS, O.....621 St. Paul St.
APPOLD, LEMUEL T.....Care of Colonial Trust Co.
RMISTEAD, GEORGE.....1025 Cathedral St.
ARTHURS, EDWARD F.....7 E. Preston St.
ATKINSON, ROBERT, M. D.....2134 Oak St.

Baily, G. Frank,.....28 S. Hanover St.
Baldwin, Charles G.....224 St. Paul St.
Baldwin, Summerfield.....1006 N. Charles St.
Banks, William H.....405 Druid Hill Ave.
Barclay, Mrs. D. H.....2130 Bolton St.
Barnes, J. T. Mason.....705 Continental Trust Bldg.
Barrett, Henry C.....107 W. Monument St.
Barroll, Hope H.....Chestertown, Md.
Bartlett, J. Kemp.....2100 Mt. Royal Ave.
Barton, Randolph.....207 N. Calvert St.
Berkley, Henry J., M. D.....1305 Park Ave.
Bernard, Richard.....54 Central Savings Bank Bldg.
Berry, Miss Christiana D.....322 Hawthorn Road, R. P.
Berry, Jasper M., Jr.....225 St. Paul St.
Bevan, H. Cromwell.....10 E. Lexington St.
Bibbin, Mrs. A. B.....Maryland Ave. and 26th St.
Billstein, Nathan.....Rider, P. O.
Birckhead, P. Macaulay.....509 Park Ave.
Bird, W. Edgeworth.....Roland Park.
Birnie, Clotworthy, M. D.....Taneytown, Md.
Black, H. Crawford.....201 Fidelity Bldg.
Black, Van Lear.....201 Fidelity Bldg.
Blake, George A.....Law Building.
Blakistone, T. Wallis.....803 Union Trust Building.
Bland, J. R.....1025 N. Charles St.
Bonaparte, Charles J., LL. D.....216 St. Paul St.
Bond, G. Morris.....Law Building.
Bond, James A. C.....Westminster, Md.
Bond, Nicholas P.....1310 Continental Trust Bldg.
Bonsal, Leigh.....511 Calvert Building.
Bowdoin, Henry J.....705 Maryland Trust Bldg.
†Bowdoin, W. Graham, Jr .....705 Maryland Trust Bldg.
†Bowers, James W., Jr.....16 E. Lexington St.
Bowes, Joseph.....Equitable Building.
†Brady, Rev. Francis X.....Loyola College.
Brandt, Miss Minnie.....11 E. Read St.
Brantly, W. T.....10 E. Fayette St.
Brattan, J. Y.....American Office.
Brent, Miss Ida S.....1125 Bolton St.
Brent, Robert F.....104 E. Lexington St.
Briscoe, David S.....722 Law Bldg.
Brown, Alexander.....712 Cathedral St.
Brown, Arthur George.....841 Calvert Bldg.
Brown, Edwin H., Jr.....Centreville, Md.
Brown, Frank.....830 N. Charles St.
Brown, John W.....722 E. Pratt St.
Brown, Kirk.....1813 N. Caroline St.

BROWN, MRS. LYDIA B.....1025 Harlem Ave.
BROWNE, B. BERNARD, M. D.....510 Park Ave.
BROWNE, WILLIAM HAND, M. D.....Rider Postoffice, Md.
BROWNE, REV. LOUIS BEEMAN.....Sparrows Point, Md.
BRUNE, H. M.....841 Calvert Bldg.
BRUSH, EDWARD N., M. D.....Sheppard and Enoch Pratt Hospital, Towson, Md.
BRYAN, WILLIAM SHEPARD, JR.....311 Maryland Telephone Bldg.
BUCHANAN, JAMES H.....314 St. Paul St.
BUCHHOLZ, HEINRICH EWALD.....2741 N. Charles St.
BURNETT, PAUL M.....216 St. Paul St.
BUZBY, S. STOCKTON.....1216 St. Paul St.
†BURROW, MRS. TRIGANT.....863 Park Ave.

CAREY, JOHN E.....20 E. Eager St.
CARR, JAMES EDWARD, JR.....727 Law Building.
CARTER, JOHN M.....222 St. Paul St.
CARY, WILSON M.....1012 Cathedral St.
†CASSARD, HOWARD.....919 W. North Ave.
CATOR, SAMUEL B.....823 N. Charles St.
CHESTNUT, W. CALVIN.....1141 Calvert Bldg.
CHEW, SAMUEL C., M. D.....Roland Park.
CLAGGET, L. B. KEENE.....University Club.
CLARK, ERNEST J.....1043 Calvert Bldg.
CLAUDE, GORDON HANDY.....Annapolis, Md.
CLOTWORTHY, C. BAKER.....1400 Continental Bldg.
COAD, J. F.....Charlotte Hall, Md.
COALE, W. E.....1038 N. Calvert St.
COCKEY, CHARLES T.....Pkesville, Md.
COHEN, MISS BERTHA.....415 N. Charles St.
COHEN, MENDES.....825 N. Charles St.
COLE, R. C.....107 Ridgewood Road, R. P.
COLTON, WILLIAM.....1206 Calvert Bldg.
COOK, PARKER.....928 N. Calvert St.
COONAN, EDWARD V.....224 St. Paul St.
†COOPER, MISS H. FRANCES.....1415 Linden Ave.
CORBIN, MRS. JOHN W.....2208 N. Charles St.
COTTMAN, J. HOUGH.....812 Keyser Building.
COTTON, MRS. JANE BALDWIN.....416 Marlborough St., Boston, Mass.
CRAIN, ROBERT.....809 Calvert Bldg.
CRANE, C. T.....Farm. and Merch. Nat'l Bank.
CRANWELL, J. H.....1733 Park Ave.

DALLAM, RICHARD.....Belair, Md.
†DALSHEIMER, SIMON.....The Marlborough.
DANDRIDGE, MISS ANNE S.....18 W. Hamilton St.
DARNALL, R. BENNET.....408 Fidelity Bldg.

Dashiell, N. Leeke, M. D.....1129 W. North Ave.
Daugherty, William Grant.....10 E. Lafayette Ave.
Davis, Septimus.....Aberdeen, Md.
Davison, G. W.....606 Fidelity Bldg.
Dawkins, Walter I.....408 Fidelity Bldg.
Dawson, William H.....702 Fidelity Bldg.
Day, Miss Mary F.....Upper Falls, Md.
Day, Willard G.....1022 N. Eutaw St.
Dennis, James T.....Melvale, Md.
Dennis, James U.....406 Equitable Bldg.
Dennis, Samuel K.....408 Equitable Bldg.
Dickey, Charles H.....1014 N. Charles St.
Dielman, Louis H.....Enoch Pratt Free Library.
Dillehunt, H. B.....221 St. Paul St.
Dix, William H.....9 E. Lombard St.
Dixon, Isaac H.....105 Hanover St.
Dobler, John J.....436 Harford Road.
†Dodson, Herbert K.....2026 N. Charles St.
Donaldson, John J.....220 St. Paul St.
Duer, Douglas H.....36 and 38 S. Charles St.
Duer, Henry L.....1804 St. Paul St.
†Duke, W. Bernard.....Rider Postoffice, Md.
Dunton, Wm. Rush, Jr., M. D.....Towson, Md.
Duvall, Wirt A., M. D.....1609 Edmondson Ave.
Duvall, Richard M.....16 E. Lexington St.

Earle, Samuel T., Jr., M. D.....1431 Linden Ave.
Eccleston, Rev. J. Houston, D. D....910 St. Paul St.
Elliott, A. Marshall, Ph. D.....Johns Hopkins University.
Elliott, Thomas Ireland.....81 Gunther Bldg.
Ellis, Mrs. Theodore.....Forest Park.
Emory, German H. H.....600 Maryland Trust Bldg.

Fechtig, James Amos, M. D.....1307 N. Charles St.
Ferguson, J. Henry.....13½ W. Saratoga St.
Field, Charles W.....1057 Calvert Bldg.
Fisher, Miss Grace W.....1420 Park Ave.
Fisher, Richard D.....1420 Park Ave.
Foard, Joseph R.....1005 Keyser Bldg.
Focke, Ferdinand B.....1718 Bolton St.
Forbes, George.....804 Union Trust Bldg.
Forsythe, Wm. Henry, Jr.....Belair, Md.
Foster, Reuben.....2301 N. Charles St.
Frick, Frank.....1514 Park Ave.
Frick, J. Swan.....126 W. Franklin St.
Furst, Jacob H.....23 Hanover St.

GAITHER, GEORGE R.....815 Gaither Bldg.
GAITHER, THOMAS H.....508 Cathedral St.
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GARNETT, JAMES M., LL. D.....1316 Bolton St.
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GARRETT, ROBERT.....Continental Trust Bldg.
GARY, E. STANLEY.....857 Park Ave.
GARY, JAMES A.....1200 Linden Ave.
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GILL, JOHN OF R.....Merc. Trust and Deposit Co.
GITTINGS, JOHN S.....21 North St.
GLENN, JOHN M.....152 E. 35th St., New York.
GLENN, REV. WM. LINDSAY.....Emmorton, Md.
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GOLDSBOROUGH, CHARLES.....924 St. Paul St.
GORDON, DOUGLAS H.....International Trust Co.
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GORTER, JAMES P.....224 St. Paul St.
GOUCHER, JOHN F., D. D.....Woman's College.
GOULD, CLARENCE P.....Johns Hopkins University.
GRAFFLIN, WILLIAM H.....Vickers Bldg.
GREENWAY, WILLIAM H.....2322 N. Charles St.
GREGG, MAURICE.....528 Equitable Bldg.
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HANCOCK, JAMES E.....4 S. Howard St.
HANNA, HUGH S.....103 Elmhurst Road, R. P.
HANSON, MRS. AQUILLA BROWNE.....706 St. Paul St.
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HARLAN, HENRY D., LL. D.....1063 Calvert Bldg.
HARMAN, S. J.....708 Fidelity Bldg.
HARN, ELMER M.....604 N. Arlington Ave.
HARRIS, MISS ALICE G.....608 Continental Trust Bldg.
HARRIS, W. HALL.....216 St. Paul St.
HARTMAN, A. Z.....1210 Bolton St.
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HAYDEN, W. MOZART.....Eutaw Savings Bank.
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HAYWARD, F. SIDNEY.....Sunnyside, Woodburn Ave., Govanstown, Md.

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HENRY, J. WINFIELD.....107 W. Monument St.
HILKEN, H. G.....133 W. Lanvale St.
HILL, JOHN PHILLIP.....700 Keyser Bldg.
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HISKY, THOMAS FOLEY.....215 N. Charles St.
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HOUGH, SAMUEL J.....207 St. Paul St.
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HUGHES, THOMAS.....223 St. Paul St.
HULL, MISS A. E. E.....1020 Cathedral St.
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HUNTING, E. B.....830 Equitable Bldg.
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HYDE, ENOCH PRATT.....223 W. Monument St.
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MARYLAND

HISTORICAL MAGAZINE

VOL. IV. JUNE, 1909. No. 2

EARLY CAREER OF GOVERNOR FRANCIS NICHOLSON.

CHARLES WILLIAM SOMMERVILLE.

From Downholme, an obscure village of Richmondshire in the North Riding of the County of York, came to America the founder of Annapolis and Williamsburg, of King William's School and William and Mary College, the Colonial administrator and "governor of governors," patron of schools and of religion, Francis Nicholson, whose long and varied activity makes him a conspicuous figure in American colonial history.

Downholme parish, though not barren, is broken into many wild diversities of surface that would almost defy the efforts of man to discover an easy road into its Upper Swale dale, where lie the ruins of one of the humblest of all monastic foundations, Ellerton upon Swale, dating probably from the reign of Henry II.

Downholme Park was the old seat of the Scropes of Bolton, who had been summoned thence to Parliament for eleven generations.

When the first Earl of Sunderland, Emanuel Scrope, eleventh Baron Scrope of Bolton, died in 1630, his extensive estates were divided among his three natural daughters, his only children.

Downholme Park fell to Mary the eldest, who, as a widow, was married, February 12, 1655 or 1656, to Lord St. John, sixth Marquis of Winchester, created in 1689 Duke of Bolton.

Sir John Reresby and Bishop Burnet, his contemporaries, have

represented this Lord St. John, Duke of Bolton surnamed "the proud," as one of the most extravagant livers of his time, "a man who took all sorts of liberties with himself;" he was arrogant and "had the spleen to an high degree," said the Bishop, . . . "yet carried matters before him with such authority and success, that he was in all respects the great riddle of the age."

Francis Nicholson was the natural son of this proud Duke of Bolton. When the General made his will in 1728, he wrote, with a view to a monumental inscription, "I was born at Downham (Downholme) Park, near Richmond, in Yorkshire, 12 November, 1655."

Of his boyhood we have no record. He was brought up in the schools; his letters and dispatches, as Mr. Doyle remarks, were indicative of superior education and talents, and he fully appreciated the importance of education in the colonies he governed.

Young Nicholson passed at an early age into the army of Charles II, and served three years in the Third Buffs, where he was, January 9, 1678, commissioned an ensign.

The year is a memorable one in the history of the English occupation of Tangier, in Morocco. Tangier had come to the crown in 1662 with Bombay as part of Catherine of Braganza's wedding dowry to Charles II., and was considered a most valuable acquisition. The history of the years in which it formed part of the British Empire is little known; but is one glorious for the gallant struggles of the British soldiers sent to guard it, for their resolute endurance, fighting under every conceivable difficulty, or dying at their posts when overwhelmed by crafty and unscrupulous foes. John Churchill, the great Duke of Marlborough, when scarce 20 years of age, served as a volunteer.

The Moorish Emperor, Muley Ishmael, with an enormous army of slaves from the Soudan, was ably and ferociously supporting his throne, and making more determined attacks on the English.

The exigency called for reinforcements, and furnished the occasion for Francis Nicholson to see his first service under the

famous Lieutenant-Colonel Percy Kirke, an able and energetic soldier. Lieutenant-Colonel Kirke, promoted from the Earl of Oxford's troop in the Royal Horse Guards raised 8 companies in London and vicinity, as Major Charles Trelawney did in Plymouth, and these companies made up the Earl of Plymouth's Regiment, later called the 4th King's Own, and now the King's Own Royal Lancaster Regiment. Ensign Nicholson served in this second Tangier regiment under Colonel Kirke at 3 shillings a day.

Three months after it was formed, the 4th King's Own embarked on what proved a hard voyage. Long detention on shipboard cost the lives of several officers and at least 50 privates; and when the regiment arrived at Tangier in December, 1680, it was in a sickly condition.

Colonel Kirke, a short-tempered, rough-spoken, dissolute soldier, harsh and unscrupulous, who is credited later with hanging a hundred persons without any sort of a trial within a week after a victory, using the sign-post of his inn as a gallows, seems to have taken special notice of Francis Nicholson, and employed him as a personal aide-de-camp, giving him the local rank of captain.

In February, 1681, Colonel Kirke was sent as special messenger to the Emperor Muley Ishmael, at Mequinez, the Versailles of Morocco. The Emperor spent much of his time there in its sumptuous palaces, and was almost always engaged, when not at war (or amusing himself with inventing some new torture for his subjects or the unhappy Christian slaves), in laying out pleasure grounds and beautifying his city. These slaves might be Englishmen or Portuguese, or other Europeans; soldiers, sailors, or women captured by pirates or soldiers.

Colonel Kirke, in his visit to Mequinez and Fez, made a favorable impression upon the Barbary Emperor, and he thereby brought about the redemption or liberation of a number of the English slaves. His correspondence was carried on through Lieutenant Nicholson, who was sent on several missions to the Emperor, to London, and to Lord Preston, British Ambassador in Paris, in 1682 and 1683.

Colonel Kirke became Governor of Tangier in 1682 and was transferred to the colonelcy of the old Tangier or Governor's regiment, since the Second or Queen's, and now the Queen's Royal West Surrey Regiment. Their badge was a Paschal Lamb, and they were known as "Kirke's Lambs." The dissolute tone of the garrison life complained of by the Fleet-Chaplain Ken (author of the doxology "Praise God, from whom all blessings flow"), exerted no good effect upon Colonel Kirke nor his aide. To Emperor Muley Ishmael, Governor Kirke pledged himself to turn Musselman, if he ever changed his faith; and Lieutenant Nicholson imbibed lessons that showed their effects at Hounslow Heath and in America. But environment and the age must be considered. Nor were strict, severe, army regulations wanting. Duties to God, His Majesty, and in general were clearly laid down; strictly forbidding profanity, absence from prayers and sermons; drunkenness, &c. Death was the penalty for challenging an officer to a duel. Other penalties were severe.

When at last the religious prejudices of the times compelled King Charles to abandon Tangier, he yielded to the barbarous Moors a possession that might have become as rich a jewel in the crown as did Bombay. Lord Dartmouth and Colonel Kirke abandoned the town in 1684.

The 23 years of its possession had cost the Crown more than all the garrisons of England, and the returns had grown less and less. This history is not a credit to the British nation. An empire might have been formed in Africa as powerful for good as that built up in India.

However this may be, glory is reflected upon the English by the pertinacious valor of the troops engaged there. The record of the Tangier Regiments furnishes a bright example of the strong self-reliant character of our race, and of the indomitable pluck and resolution that enabled them to retain so long the possession of the place and then to retire in the view of the enemy with dignity and without loss.

Lieutenant Nicholson returned to England, and is likely to have been with Colonel Kirke at the battle of Sedgmoor, July 6, 1685; and at Taunton, where "Kirke's Lambs" marched in

escorting prisoners and two cart loads of wounded; and in Taunton marketplace at once hanged nineteen prisoners.

Lieutenant Nicholson was a Protestant. When King James II. came to the throne, a Roman Catholic, and a bigoted one, exercised the lordship over government, army, and people. He publicly indeed, promised that he would not molest the Protestants, but would respect their privileges. The King's partiality, however, to the Roman Catholics soon placed Nicholson under the necessity of deciding a matter, very simple in itself, yet one in which a principle was involved, and from which he was afterwards to suffer the consequences of a wrong decision.

The world was in great religious unrest. The revocation of the Edict of Nantes, in 1685, caused a cry of grief and rage throughout Protestant Europe. England was filled with dismay at the acts of her own sovereign. The king had organized a military force, and in defiance of the law had selected its officers chiefly from Roman Catholics. "He took great pains to view and discipline it; and to that end formed a sort of Camp all that summer on Hounsloe Heath (in Middlesex), and by the great attention he had to their cloathing, armeing, and discipline, render'd it a very compleat body of men, which tho not very numerous (as not exceeding 13 or 14 thousand) had the reputation however of being the best pay'd, the best equip'd and the most sightly troops of any in Europe." In this fine organization, raised against the Duke of Monmouth and still kept up to three times the size of the usual standing army, and devoted to the king, was Lieutenant Nicholson, a young Tory officer with a career before him. James had frequent reviews and parades of his force, and had a great care to favor the papists in it. It would have required therefore some moral courage for a mere lieutenant to gainsay the royal wish under such circumstances. The forms of the Roman Catholic Church were of course observed in the worship in the sovereign's tent; and one day in July, 1686, Lieutenant Nicholson was present at the services. To kneel when mass was celebrated was to please the king by complying with Roman Catholic forms; to refuse to kneel was to bring on himself the royal displeasure, and perhaps his dismissal.

The young officer complied with the king's requirement, according to the affidavit of a soldier who "did see Francis Nicholson the late lieut. Governor of the fort at New York, Several times in the Mass, but especially two times in the King's tent at Hounsloheath in old England, being there to perform his devotions, and did the same upon his Knees before the altar in the papist chapel, when the Mass was said."

It was that act of kneeling in compliance with the demands of a king whose chief object was to establish the Roman Catholic religion instead of the Protestant, which was to give Nicholson trouble in Ameriea. So far as the records go, it was his only papistical act, at any rate, whether an act of faith or one of servility.

Lieutenant Nicholson grew in favor at Court. A little later he is mentioned as Captain Nicholson, the recipient of £100 bounty.

Begins His American Career (1686–1689).

Nicholson's Colonial career began in Boston in 1686 under Sir Edmund Andros. The attention of the Court had been drawn to the encroachments of the French upon the territory claimed by England in America, and especially to their interference with the New England fisheries. It was therefore determined in Privy Council that the New England colonies be united into "one entire government, the better to defend themselves against invasion."

The policy of consolidation which Andros, as deputy governor under James the Duke of York had recommended in 1678, which Charles II. had adopted in 1684, James II. was now to enforce. He issued his commission to just the agent fitted to execute his arbitrary designs, Sir Edmund Andros, captain-general and governor-in-chief over the "Territory and Dominion of New England in America," whose long American experience, administrative ability, irreproachable private character, and soldierly notions of prompt obedience to orders, made him unpopular with the Puritans, but hardly deserving the evil reputation he has inherited. To secure Andros in his government of united New England, two

companies of regular soldiers, chiefly Irish Papists, were raised in London, and placed under his orders; and Captain Francis Nicholson was put in command of one company.

Andros and Captain Nicholson sailed for New England in the fall, but as Sir Edmund had instructions to settle the affairs of Bermuda, their frigate, the *Kingfisher*, did not reach Boston until Sunday, December 19, 1686. "On that day, about 7 a. m., was spied Sir Edmund's flag in the main top, and great guns announced his arrival; next day, Governor Andros in a scarlet coat laced, and Captain Nicholson attended by a company of soldiers, landed at Governor Leveret's wharf about 2 p. m. and were met by the president and a great number of merchants and others, with all the militia of horse and foot," and escorted to the town-house. There Andros had his commission read, produced the great seal and flag, both of a new device for the use of his government, took the oath of allegiance and as governor, and then, standing with hat on administered the oath to his councilors.

A few days later he met the new council. When they reached Boston the weather was serene and moderate; but the cold increased and the *Kingfisher* was kept all winter in port by the ice, and in May, Captain Hamilton her master died. His funeral, eight days later, was attended by Samuel Sewall who observes in his diary the presence of "Capt. Nicholson's Red coats and the 8 Companies." These companies are called by another contemporary "a crew that began to teach New England to drab, drink, blaspheme, curse, and damn; . . . moving tumult and committing insufferable riots; while their captain exasperated the Bostonians by averring that the Scabbard of a Red-coat should quickly signifie as much as the commission of a Justice of the Peace."

Captain Nicholson's military service in the "Territory and Dominion of New England," beyond an expedition to Port Royal with the *Speedwell*, August 6, 1687, to ask of the French governor redress of fishermen's complaints, was limited to light operations against the Indians, and to upholding Sir Edmund Andros in his demand for the surrender of the charters of the

colonies. Nicholson received a commission, August 23, 1687, which added him to the Council of the Dominion. Captain Nicholson was indirectly connected with a striking incident of Sir Edmund Andros' government of the consolidated colonies, which, though partly resting on tradition, is yet in general historical—the rescue of Connecticut's charter.

This charter was prized by the men of Connecticut as the guarantee of their liberties. They had resisted Dudley's demands for it. When Andros arrived he wrote from Boston that he expected the immediate surrender of the Charter. It was not surrendered. After some correspondence in a civil tone he sent Captain Nicholson the long journey to Hartford to receive the Charter from Governor Treat, emphasizing the necessity of compliance by a hint at the redcoats, remarking that "Captain Nicholson hath His Majestie's owne Commission for one of the Companys Come with me for His Majestie's service in these parts, with whom you may be free, and give Creditt to him in anything relating to his Majestie's service." But the Captain returned without the Charter. Then Andros determined to go in person and take the Charter, since his letters and his lieutenant had failed to get it. Samuel Sewall writes of his setting out from Boston on the 26th October, 1687, "with sundry of the Council, Justices, and other Gentlemen, four Blew-Coats, two Trumpeters, . . . 15 or 20 Red-Coats with small Guns and short Lances in the Tops of them"—about 60 in all. A five days' march brought the party unexpectedly to Hartford, where the Assembly was in session. After a formal exchange of courtesies, Andros publicly demanded the Charter. Governor Treat remonstrated, recalling the hardships endured by their fathers to secure the liberties granted them by the Charter. The Connecticut patriot had not yielded that Charter to Dudley's demand, he had not given it up at the written request of King James' Governor-General, nor had Captain Francis Nicholson of the king's red-coats obtained it. But being present in person Sir Edmund Andros was obdurate. The Charter lay on the table before him. The Governor pleaded long; it was growing dark; candles were lighted. The crowd was dense within and outside the chambers. Suddenly the lights

were put out. There was silence in the assembly. Amid confusion the candles were soon relighted; but the Charter was gone. It was safe in the hollow old oak. Sir Edmund was foiled. Nevertheless Andros assumed the government of the Colony and united it to his Territory and Dominion of New England." Connecticut was the last Colony to fall. New England was consolidated under one ruler.

Lieutenant-Governor of New York.

King James insisted on governing his colonies in America by his royal prerogative as "dependencies" of the Crown, and not as constituencies of the British empire. He resolved that the vigor of absolute monarchy would be safer for the Colonies than the discords of the Colonial governments which risked his American realm. The British Colonies were at stake. New France with its undefined territory, was governed by a viceroy, who executed the French king's orders. The neighboring British territory had discordant local administrations. To the Indians the French king seemed a greater monarch than James. As long as Canada had the strength of union, while the English Colonies were separated and inharmonious, so long would France be stronger in America than England.

To establish British supremacy in America James determined to unite, not New England only, but all his North American possessions under one central government which should be able to stand against the encroachments of the French. To carry out this policy he selected Sir Edmund Andros, Governor-General of New England, and on the 7th of April, 1688, promoted him to be viceroy of the "Territory and Dominion of New England in America." Excepting Pennsylvania, all the rest of the British territory in North America, between the head of Chesapeake Bay and Canada, stretching across the Continent, was consolidated into the largest political unit under the British Crown, and brought for the first time under one royal captain-general and governor-in-chief. The seat of the new government was transitory; it might be at Boston or elsewhere, at the Governor's

discretion, but a deputy-governor was to reside at New York, and as governor of New York and the Jerseys, was to be the chief executive officer in the captain-general's absence, and to take his place in case of his death.

Captain Nicholson was, on April 20, 1688, promoted to be the King's "Lieutenant-Governor of New England," with a salary of £400 a year. The Commission reached Boston on July 5, and on the 19th Andros proclaimed his authority, from the town-house balcony, and Nicholson was installed as Lieutenant-Governor of the Dominion, with headquarters at New York.

A fortnight later Andros and Nicholson set out for New York, where Andros arrived on Saturday, the 11th, and was proclaimed the new Governor; but at New London Nicholson turned back upon hearing of Indian hostilities, and reached Boston again on the 7th. On his way to Boston Nicholson had passed through the Narragansett country, reassured the Indians against the French Indians, and "told them that they were now under a great King that would protect them from any enemy, provided they did their duty to him." In a long letter he tells of the movements of the Indians, and his marches against them to the Nipung country, covering 230 miles about Boston.

An interesting feature in Nicholson's career in the Colonies, was his contact with the pirates and buccaneers. Piracy is as old as naval history. The Phœnicians, Greeks, Romans, and Europeans of the Middle Ages passed through the stages of recognizing, regulating, and outlawing sea-robbers. Pompey with a large fleet checked their audacious insult to Rome itself. The great Hanseatic League of the thirteenth century was formed chiefly to protect the North German cities from the fearful pirates of the Baltic. The scourge was not removed from Europe until the feudal system fell and law secured the ascendency. As Cilicia in ancient times, so Madagascar in the seventeenth century, as also the West Indies, were famous haunts of pirates. Envy of Spanish wealth and dominion in America supplied a pretext for privateers and pirates. These "enemies of the human race" as Cicero declared pirates to be, had, in 1630, taken the island of Tortuga, near Hispaniola; and many of them having been originally engaged

in the honest business of "boueaning" or smoking fish and meat after the Carib fashion, they were generally known in Europe as "Bueeaneers." The Hollanders ealled them "Zee Rovers"; the Freneh and Spanish "Fili-bustiers," the English, "Adventurers" or "Free-booters." The saek of Panama by the Welsh pirate, Sir Henry Morgan, in 1671, with a fleet of 39 ships and 2000 men, gave the eommand of the Paeific to the buccaneers, who spoiled Spanish towns and galleons. The stories of pirates which have infested Amerieau seas, would make a large volume of keen interest. Along the American seaboard there linger tales of the terrors that attended sea voyages. Pirates hovered upon every eoast, and merehantmen were subjeet to tribute, if not utterly plundered, by privateer or pirate. Sometimes in eompany, oftener as solitary robbers, they spread terror along the courses of trade, or even pursued an enemy into a eity's harbor, and terrorized the inhabitants by their fighting out their bloody duels in sight of its eitizens.

The history of the buceaneers falls into three periods. Until the eapture of Panama by Morgan they were unmolested by goverument; from 1671 till 1685 they were strongest, operating not only among the West Indies, but on the Paeifie eoast from Chile to California. After 1685 there eame a period of disunion, disintegration, and degeneration into unmitigated viee and eruelty. In this period falls the experienee of Franeis Nicholson; and the reeords of our admiralty courts for that period are full of trials of pirates, with the most revolting aeeounts of their eruelties and their exeeutions.

Charles II. had tried to suppress the buceaneers; but he had also knighted the "gallant" Sir Henry Morgan. It was not until 1687 that the British Government itself made any practieal effort for the suppression of piraey.

Among the instructions given to Andros, in 1686, and to Dongan was an order to suppress "all pirates and sea-rovers," who had become sueh a nuisance that, in August, 1687, Sir Robert Holmes had been sent with a small fleet "for suppressing pirates in the West Indies." Pirates and Sea-rovers eoming into any of the ports of the Colonies, were to be seized and imprisoned,

and their ships and plunder were to be held for the King's decision. Sir Robert Holmes was granted for three years all the goods and chattels taken by him from pirates or privateers, rendering his service one scarcely less of plunder than that of the pirates themselves. His interest was not to protect commerce and the Colonies from pirates, but rather to let the pirates get all the treasure they could and then to retake the treasure from them and appropriate it to himself.

Writing from Boston, August 31, 1688, Captain Nicholson relates his first experience with the pirates of New England, who made a part of the great world of outlaws.

In accordance with his instructions, he endeavored to suppress the illegal trade with them. He imprisoned "eight men supposed to be pyrates" who had belonged to one Peterson, from the crew of two famous West India privateers, *Yanckey* and *Jacob*. Peterson was cruising off the coast in a barkalonga of ten guns with 70 men. He was at Rhode Island that summer; and against him Captain George went in the *Rose* frigate, while Captain Nicholson marched overland to his assistance. Peterson escaped. Nicholson indicted, however, some Rhode Island men who had traded with him; but failed to get the Grand Jury to bring in a true bill against them. He also held at Salem some shipmasters to be tried for trading with the robbers. These efforts to suppress piracy met with little sympathy from the chief men of Massachusetts, and some men Captain Nicholson had imprisoned at Boston for the offence were the next spring, under another authority, liberated. The illegal trade was too profitable to the New Englanders to be easily suppressed. Privateers were continually fitted out in the British American Colonies, and many buccaneers found refuge and encouragement there. The Carolinas, Virginia, as well as New York, Rhode Island, and Massachusetts, all share the odium of this scandalous renown. For many years privateers continued to rob the Spanish West Indies, and brought great booties to Boston. "This place," wrote Randolph, "was the common receptable of pirates of all nations" and efforts to suppress the robbers were regarded as measures to "damp and spoil" the commerce of Massachusetts; and to "obstruct their

constant and profitable correspondence with Foreigners and Pirates," was very disagreeable to many persons who had even grown old in that way of trade. The chief attraction at Boston for the freebooters seemed to have been the Colonial mint, established in 1652, of which Samuel Sewall, whose diary has been quoted, was once master. The pirates were encouraged to "bring their plate hither, because it could be coined, and conveyed in great parcells, undiscovered to be such." Once the taste for the life of a freebooter had been acquired and the profits of it experienced, regular trade and settled labor became dull and unattractive. Even smuggling was more attractive by reason of its spice of risk. There was probably no port on the coast of America nor Europe in which could not be found mariners, pardoned or unpardoned, who at some time had been engaged in piracies.

In 1689, about the time Nicholson was leaving New York, two notorious pirates, Thomas Hawkins and Thomas Pound, were cruising upon the New England coast, and with great boldness committing depredations upon the inhabitants; but Nicholson was then too much handicapped to take notice of them; and his connection with such troubles remained suspended until his administration in Virginia.

The news of the birth of a Prince of Wales, on June 10th, 1688, reached Boston on the 16th of August, about 9 o'clock at night, and was enthusiastically received by Nicholson. He took pleasure in being the first to send the information to Andros at New York, and wrote, "tho I had it late at night, yett endeavored to solemnize it as well as the time and this place could afford." He issued a proclamation for a general thanksgiving, and Sewall says that "from 11 to 1 or 2 was drumming, Bonfire, Huzas, small and great Guns, Ringing of Bells, at which many startled for fear of fire or an Alarm; because the thing was so sudden, People knew not the occasion."

About the first of September Nicholson, anxious to be acquainted with the Five Nations, set out for Albany where he was ordered to meet Governor Andros who had gone up with fifty soldiers in a sloop to confer with the Indians, who, it was feared, were

coming under a dangerous influence from the French. Nicholson went overland by way of Springfield to keep an eye on hostile French Indians. Andros with Nicholson held a stately interview with the delegates of the Five Nations in the Albany town house. There were harangues by the native orators, and adroit replies by the Englishmen; and mutual friendship was reaffirmed.

Upon his return from Albany, hearing that the Bostonians had sent men without his orders to quiet the Indians in Maine, Andros set off overland for Boston, on the 4th of October "to prevent a second Indian war." Lieutenant-General Nicholson remainded in New York at the head of affairs, assisted by Dongan's former councillors, Phillipse, Bayard, Van Cortlandt, Young, and Baxter.

(*To be concluded.*)

ACTION BETWEEN AMERICAN AND BRITISH BARGES IN THE CHESAPEAKE BAY, NOVEMBER, 1782.

Commodore Walley to Governor Paca.

Pocomoke November 22nd 1782.

Sir.

On the 12th Inst the Barges under my Command lay in Onancock, eastern shore of Virginia, when we were apprised of five British Barges on the Sea Coast, standing to the Southward, and generally supposed intended into our Bay. The barges was immediately put in motion and on the 14th Inst arrived at Gwins Island, where it was supposed they would rendezvous if they came into the Bay. That night two of the said Barges came to under the East side of said Island. Early on the morning of the 15th we discovered each other at about one league distance; as soon as we were discovered the Enemy made down the Bay. A General chace ensued and about 11 A. M. the sternmost Barge was brought to by the *Defence* Captn S. Fraizer; proves to be manned with Sixteen men and Comd by a certain Daniel I. Brooks (late of Dorchester County). We continue chace after the other then in sight, chased her without Cape Charles, and under Smith's Island discovered two other Barges. Gave chace but they had so great a Start that it was impossible to come up with them before dark. At 6 P. M. gave over Chace by which time we had chased them out of Wreck-Island Inlet to Sea, which lays abt five leagues to the Northward of Cape Charles. I am inform'd they have since rendezvouzed at Chingoteague and are there now, waiting as it's supposed for our Barges to go up; however am determined to continue as long as I possibly can, and have not the least doubt of frustrating any attempt they may make on this Bay.

We took two Lieut^{s} belonging to the two Barges routed from Smith's Island, one of which I have taken the liberty of sending as an exchange for L^{t} Geo: Grison who was unfortunately taken prisoner when Comodore Grison fell. The other is one Peter Franks (a Portuguee) who is notoriously known to be at and Privic to almost every House burnt in this State and on the Eastern Shore of Virginia. I have taken the Liberty of sending two others in exchange of two men active with . I must request you would acquaint the Governor and Council of our proceedings.

I am Sir,
with very much respect
Your mo: Ob^{t} Hum^{l} Ser^{t}
Zedekiah Walley.

Account of Capt. Frazier.

Novem^{r} 27th 1782. Lying in Onancock Accom^{k}, Virginia, wind at S, saw 7 sail standing up the bay. The Comodore give the signal for the fleet to weigh and stood for them, but night coming on was not able to discover what they were. Stood into Wat's Island harbour and anchor'd.

28th Early this morning saw several sail at Anchor under the lower Tanger Island which we took to be the same that we Discovered the Evening before, but the wind blowing strong at N. W. was not able to Discover what they were, but supposed them to be British Barges, as we had frequent Informations they were coming in the bay. The Comodore consulted the Officers and it was agreed from their superior number to ours to Dispatch an Express to the L^{t} of Accomack County to fit out a Barge that was Lying at Onancock and raise Volunteers to man her and the Barge we took from the Enemy and join our fleet. On the Evening of the same day, as the Messenger had not returned, the Comodore give orders to get under way and run into Onancock. At his arrival there was Informed that the Onancock Barge would be ready early in the morning, and volunteers ready to man her and the *Langodoc*.

29th. Comodore Desired me to man the *Defence* with 40 pickt men from the fleet and proceed with as much Expedition as Possible to Tanger Island to reconoiter the Enemy. On my arrival there saw no sail of any sort, but Landed at one Crocket's under English Colours and made every enquiry after the American Barges. He Informd me that he knew nothing of them but had seen 5 of them Lying under Wat's Island the day before. He farther told that 6 Barges had Left his House early that morning and stood for Fox Island up Tanger Sound, and told him they shou'd stop at Cager Straits that night. After being well Informed of their number and Force returned to meet the Comodore. At 4 P. M. joined the Com. between Wat's Island and Onancock with the Onancock Barge and *Langodoc* and the Other Barges then under way after me. Informed the Comodore the enemy's number and strength. He ordered the Onancock Barge back as she cou'd not keep up with us, and a number of Gentlemen Volunteers came on board of the Different Vessels of our fleet. At 9 A. M. anchored off Fox's Island and sent the *Langodoc* on shore with Samuel Handy 2d Lt of the Comodore's Barge Comander, to know if the Enemy had stopt there on their way up the sound. On his return Informed us the Enemy left there at 2 o'Clock that Afternoon and stood towards Cager Straits. The fleet weighed and stood up the sound. At 4 A. M. fleet anchored, Cager Straits bearing W somewhat Northwardly.

30th. 6. A. M. saw 5 sail in the Entrance of that Place. Our Barges at this time Drawing their rations on board the *Flying Fish*. Comodore gave Orders as soon as we had got our rations for our fleet to make sail and give chase. Ordered me at the same time if possible to bring them to Action. Asked the Comodore in what Position he wou'd wish to engage in. Sd he did not think they wood engage us all, but if they shou'd and form a line he wou'd wish to form the same way the Enemy did. At this time our fleet in chase, the Enemy Appeared to be under easy sail standing through the straits from us. Agreeable to Orders pushed ahead about half Mile from the Comodore, Capt. Dashield next to me, Capt. Speddin next, Comodore next, *Langodoc* next, *Flying Fish* some distance astern. At 8 A. M. saw the

Enemy take in sail and form the Line with 5 Barges and row a light stroke towards me. The Other Barge of the Enemy's row'd some distance to the right as if she did not intend to engage at all. Come in About 200 yd^{s} of the Enemy's Barges and saw them Hoist their Colors still keeping the Line, coming Bow on. Took in sail, Hoisted my Colours. Capt. Dashield rowed round and fell in the rear of the Comodore and Capt: Speddin, *Langodoc* some distance astern of him. At this time the Enemy began a Heavy fire from their 5 Barges on me. Comodore and Capt. Speddin Coming up on my Larboard Quarter, I backt slowly astern to form the Line with them. Before we formed the Line received Two more fires from the Enemy's Barges which I returned with all the Guns cou'd bring to bear on them. Received 3 cheers from the Comodore and Gentlemen on board him. Capt. Speddin and the Comodore had begun to fire on the Enemy's Barges then being in the Line with me, Comodore on the Left, Capt. Speddin in the Center, and myself to the right. At this time a brisk fire from both sides was kept up. Discovered a fire broke out on board the Comodore near his Mizenmast and saw a number of Gentlemen Jump Overboard from his stern sheets. Capt. Speddin at this time on the Comodore's Larboard Quarter, Capt. Dashield and *Langodoc* astern. Was Informed on board that a second fire had broke out in the Comodore's Barge. On turning round to look at the fire Observed a number of men Jump Overboard. Two of the Enemy's Barges row'd to board him, the other 3 Barges kept a constant fire on my Barge. Was Informed by my 1st L^{t} that Capt. Dashield and *Langodoc* and *Flying Fish* were retreating as fast as they cou'd, Capt. Speddin still on the Comodore's Larboard Quarter and astern with all 3 of their Barges rowing on to board me. Rowed round, never discovered any signals for continuing the Action or to retreat. Thought it best to make the best of my way from the Enemy, Capt. Speddin retreating near the same time. The Comodore at this time boarded by the Enemy and his Colours struck, with one Barge along side of his Barge, the other 5 in Chase of us. Capt. Dashield bore away up the sound, Capt. Speddin and Myself following him, *Flying Fish* and *Langodoc* standing towards the

main, at 2 P. M. out of sight. Enemy's Barges still Keeping up the Chase, coming up with Capt: Speddin very fast. Lowered my mainsail down and spoke him and told him wou'd not leave him. At 4 P. M. Enemy gave over chase being then at the upper enterance of Hooper's Straits. Capt. Speddin, Dashield and myself had joined Company. Stood into Choptanek that night and was detained by wind and weather till Decem^{r} 3^{d}. Capt. Speddin and myself weighed at 11 A. M. Toods point. Capt. Dashield had Left us. At 7 that night arrived Annapolis Doek.

Account of Capt. Speddin.

Nov^{r} 30th '82. Fox Island. 6 A. M. went on board the *Flying Fish* and drew our rations. Observed at this time 5 of the Enemy's Barges Lying in Cager Straits. The Comodore gave Orders to weigh. Between 7 and 8 A. M. gave chase. Capt: Frazier and Dashield Led the Van, myself, Comodore, Sam^{l}. Handy in the *Langodoc* and a small boat belonging to Onancock manned with Volunteers. Capt. Frazier and C. Dashield come within a small distance of the Enemy. Position of the Enemy was 5 Barges abreast of each other rowing Head on, Advancing slowly. At this time Capt. Dashield rowed round and fell in the rear of the Comodore's Barge and myself. About this time the enemy gave Capt: Frazier several Fires, he did not return it till about the time I had formed the Line with him, fired my 6 pounder and bursted her the first fire, the Enemy still coming head on. My 1st L^{t}. Informed me of it. Gave him Orders to load her and try the remainder that was left. Fired her twice afterwards and found her Insuffieient. Run out my 2- 12 pounders on my starboard side that I might bring all my guns to bear. By this time the Comodore had come up. Hallowed to him that I had lost my bow Gun and could not fire her nor Engage unless it was with my side to the Enemy. He gave me Orders to keep close to him. At this time he was shooting ahead which Obliged me to fall on his Larboard Quarter. A little before this the Comodore gave the Enemy several heavy fires from his 18

pounders ahead which Checkt the Enemy. I gave them a fire from my 2- 12 pounders, 2- 4 howitzers, one Swivel and Volley of Muskets. By this time the Comodore was blown up. Did not see him myself, but saw a number of men Overboard. A small time after this saw 2 of the Enemy's Barges Board him on his Starboard and Larboard Bow and soon got possession of his Barge. At the time I saw the Enemy's Barges Board him, gave Orders to Board the Enemy's barge that was next to me but my men was much Confused and wou'd not row alongside the Barge. At the same time saw Capt. Dashield retreating as fast as he could and 2 Barges close aboard of Capt. Frazier. Gave Orders to retreat. Seeing 2 of the Enemys Barges giving Chase after Capt. Frazier, run out a 12 ponnder ont of my Larboard Quarter and gave them a fire with grape which Occasioned me to get ahead dircetly. Got my Stern to bear on them and gave them a Stern Chase with grape. Capt. Frazier close along side of me was the means of the 2 swiftest of their Barges not coming up with me. The Chase continued about 30 Miles. Never spoke Capt. Dashield till the chase was over.

LEVIN SPEDDIN.

COL. GEORGE DASHIELL TO GOVERNOR PACA.

Somerset County 5th Decr 1782.

Sir

Since the Action on Saturday last between Comodore Walley and British barges I have not been able to obtain authentic intelligence before this day, when Mr Samuel Handy (who commanded a small American barge and was privey to the Action) return'd from the Enemy. He went over with a flagg on Tuesday last. I doubt not bnt Your Excellency have been made acquainted with the force on each side and manner of Attack, by our barges who I presume went immediately to Annapolis after the Action. In the heat of Action the *Protector's* magazine was blown up. This circumstance is to be attributed to the Gunner's unfortnnately breaking a cartridge as he handed it out of the chest. By the comodores orders he wet the powder that was spilt,

but not sufficiently to prevent its taking fire, which was occasioned by the flash of one of her small arms, to the great prejudice of the crew, numbers being kill'd and wounded by it, and the whole thrown into general consternation—They fought with the greatest bravery until over powered by numbers were obliged to surrender, after which they were most cruelly murdered and thrown over board by the negroes. None of the dead was carried to the shore, but the comodore and Lieu^{t} Handy. Numbers of the wounded are carried to Onancock, Amongst whom are Col^{o} Cropper and Cap^{t} Levin Handy. The latter it is to be feared is mortally wounded in the head with a cutlass, four of the privates which belonged to this county has returend home badly wounded, I have employed a physician to attend them which conduct I hope will meet your Excellency's approbation. The whole of our people that fell into the hands of the Enemy is paroled, and the enemy's wounded is sent to Onancock to be attended by Physicians in Virginia. The Enemy's loss was considerable. Twenty-two men was kill'd and wounded on board Comodore Kidd's barge, and a Captain Allen on board the *Ranger*. M^{r} Samuel Handy in a small barge with eight men, and Cap^{t} Bryant in the *Flying Fish* got safe into Annemessix, where they both continue. Capt. Bryant has stript his vessel and sent his sails &c on shore. He has a considerable quantity of provission on board. I have wrote him this day, and advised him to land it, and have directed Cap^{t} King to remove it from the Water. The Enemy's barges lie in Cager Streights. From the uncertainty of your receiving satisfactory intelligence of the Action our loss &c I have thought it advisable to write you by express on the Subject.—I have the Honor to be

Your Excellencies M^{o} Obed^{t} Serv^{t}
GEORGE DASHIELL.

CAPT. ROBERT DASHIELL TO GOVERNOR PACA.

Annapolis 5th Decem^{r} 1782.

Sir

In compliance with your requisition I will endeavour to give you as minute a detail of the engagement between our Barges and

those of the Enemy on the 30th Ult° and all the circumstances attending the same, as came within my notice.

Our Barges lay off Jean's Island the morning of the engagement. About 8 o'clock we discovered six of the Enemys Barges lying at ancher in Carge's Straights about ten milcs west of us. We all got under way and directed our course for them ; they rowed off about a mile and then formed a line and came up towards us. No settled Plan of attaek was agreed upon. I had received orders formerly from Capt Walley to bring up the rear whenever we shou'd come to Action. Capt. Frazier's Barge got up within 200 yards of the Enemy and I followed him with an intention to detain them untill our Barges all came up. Two of their Barges began a fire upon Frazier and gave him three fires, the last of which he returned—by this time our other Barges came up and I fell back in the rear of Capt Wally, the station assigned me. Capt. Frazier retreated off the Starboard quarter of Capt Walley and Capt Speddin lay off the larboard Quarter, rather nearer the Enemy. Capt Speddin now began a fire upon the Enemy and bursted a six Pounder. Capt Walley then pushed forward, gave them three or four fires from the 18lb Cannon and his Magaziue aft took fire and blew up. Several men went overboard. I was at this time rowing up to form upon the left of Capt Spedding. The Magazine on board of Capt Walley took fire a second time and blew up Midship. The Enemy immediately boarded and took Possession of this Barge. A few fires from their whole force were then directed against us within a few yards of the Enemy. Captn Spedden returned their fire and retreated. Circumstances were such after the loss of Capt Walley as to render it necessary to secure a retreat, which was accordingly done by each remaining Barge. The Enemy gave chace and pursued us to Hooper's Straights, where they gave up the pursuit. Here we all joined and our Provisions being exhausted, men sickly, and badly cloathed, it was determined to come to this place. We then stood up the Bay and came to anchor that night at Cooke's Point in the Mouth of Choptank River. Next morning I fired a Gun and got under way and stood up the Bay. On the evening of the 1st Inst came to anchor at Poplar Island, but

neither of the other Barges joined me. The morning of the 2d Inst fired a Gun, got under way and stood up the Bay for Annapolis where I arrived about 6 o'clock in the afternoon.

I am

Yr Excellencys
Mo Obt Servant
Robt Dashiell.

Col. Henry Dennis to Governor Paca.

Worcester County December 5th 1782

Sir.

You will receive by the bearer of this (Colo Challe) from Colo Crapper of Accomack County Virginia, a full Account of the Action fought between Commodore Walley, and the refugee Barges; which will prove much to the prejudice of Captns Spedding, Frazier and Dashiell. However I am perswaded from the Idea that I myself the Commodore and the Officers under his command entertained of the bravery exhibitted by Captn Spedding, and Frazier on some other Occasions, that they will be able to give reasons that will in some measure alleviate the sensures that they now labour under from Colo Crapper and many others of the most respectable characters in Accomack County (who was Volunteers on board the Commodore's Barge and whose accounts all corroborate with those from the people belonging to her) however I can't conceive any reason wch they will be able to give why they did not go to the assistance of the Commodore after losing his magazine, when they saw he still continued to make the most obstinate defence, and knowing two of their Barges to be able to fight the whole of the Enemys then in Action. The force of the Commodore was doubly superior to the Enemy's, and the men that was on board the Commodore's barge say that after losing their Magazine had they had fifty effective men that the Enemy never would have taken them.

The situation of the people in this and Somerset Counties is truly distressing, for the Enemy are now able to continue their depredations in any part of them, and in this County there is

neither Arms or Ammunition were the Militia disposed to make use of them (very few of which are, had they them) for the Ammunition that was furnished to the County herctofore has to my knowledge been given out to the Militia at different times and consumed by them in a very improper manner—The wounded men that I have seen from the Commodore's Barge says that there is a constant Intercourse kept up between the Inhabitants of the Islands in our State as well those of Virginia; that while they were prisoners on board the Enemies Barges that Inhabitants Voluntarily came off to them in numbers and gave them every information they were capable of. I am still much confused from this late misfortune our Fleet has met with, therefore must beg you'll excuse inaccuracys and

Am Sir Your most Obed^{t} Humble Serv^{t}

HENRY DENNIS.

LIEUT. CROPPER TO GOVERNOR PACA.

Accomack county, Virginia, 6th December 1782.

Sir.

At the request of Captain Levin Handy I take the liberty of giving your Excellency a brief narrative of the action of the 30th of November ultimo, between the barges of your State and those of the enemy. On the 29th I went on board the fleet with about twenty five volunteers of the Accomack militia, by desire of Commodore Wally, and on the 30th the action was fought. The greatest part of the militia were on board the schooner Captain Brian, two or three were on board Frasier and Speddin, and myself and six others were with the Commodore. The fight commenced about ten o'clock and lasted about twenty five minutes. The Commodore's orders were for all the barges to keep up in line of battle, he sayed that he wou'd bear down upon the strongest of the enemy, and told the other barges by all means to support him. Captain Frasier and Speddin fired a few round shot at long distance, rowed about and run away; Captain Dashiell I believe never fired a shot, but kept at the distance of two hund^{d} yards astern of the *Protector* and run off before the other two; Captain

Sam[l] Handy never fired a shot and run off nighly at the same time; Captain Brien never got up at all; and a six oared boat from Onancoek never got up at all.—It is a painful task for Me who entertained an exeeeding high opinion of some of the Captains, to speak so freely of them, but love for my country, and the justiee due to the memory of the brave Commodore, and his brave erew, oblige Me to say that, (in my humble opinion) there never was before upon a like occasion so much cowardiee exhibited. They may possibly have reasons for their eonduct that I know nothing of; if any of them have, I hope they will forgive me.—This eonduet, Sir, brought on us the fire of the whole enemy, whieh was severe, and it was as severely returned by the *Protector* until the enemy were within fifty yards, when our eighteen pound eartridges eateht fire amidships; the explosion of whieh burned two or three people to death, eaused five or six more all afire to leap overboard, and the alarm of the barge's blowing up made several others swim for their lives. The enemy almost determined to retreat from our fire as they told us afterwards, took new spirit at our disaster and pushed up with redoubled fury. On the other hand our erew opposed them with the most daring resolution; there was a continual shower of musket bullets, pikes, eold shot, eutlasses, and iron stantials for eight or ten minutes, till greatly overpowered by numbers, and having all the officers of the barge killed and wounded we surrendered, after having wounded their Commodore, killed one Captain, wounded another, killed and wounded several inferior officers, and killed and wounded eighteen of the barge's erew that first boarded us (the *Kidnapper*). Commodore Wally was killed at or near the long 18 pound[r], aeting the part of a eool, intrepid gallant offieer; Captain Joseph Handy fell near the same part, nobly fighting though he had lost one arm some time before; Captain Levin Handy saved his life, but deserves no less said of him than has been said of the others—in short, there was not one man on board the *Protector* but what behaved well. After the surrender I entered into an agreement to take sueh of the enemy's wounded ashore as chose to go, and have them taken care of at my expence, upon eondition that they wou'd let all our prisoners and

wounded go ashore also; therefore I will be very glad that your government will pay Me for the medicine, provision, and attendance of such men as belong to the State of Maryland, and doubt not but our government will pay Me for the Virginia and Enemy's wounded. I have the honor to subscribe myself,

Your Excelleney's most obedient humble Servant
JOHN CROPPER JUN.R
County Lieutenant Accomack.

P. S.—I have inclosed to Captain Levin Handy a list of the prisoners, killed and wounded, that gentlemans being badly wounded prevented his obtaining a list before he left Onancock, and I am so ill of my wounds at this time that I can scarcely write.

J. C.

COL. ROBERT DONE TO GOVERNOR PACA.

Snowhill December 7th 1782

His Excellency Wm. Paca Esqr Governor

Sir,

As it is probable you are yet in the dark respecting the Engagement between Commodore Walley and the British Barges, have taken the liberty to give you the intelligence I have received from Capt Levin Handy, who was an officer on board the *Protector*; and at whose request I now address you, as he is unable from his wounds to do it himself. He received seven wounds in the Action but none of them supposed to be mortal. On Saturday last the Commodore after receiving a considerable reinforcement of Gentlemen Voluntcers from Accomack; set out from Onancock to attack the Enemy, after receiving the strongest assurances from the Commanders of the other Barges to stand by and support him to the last. The Commodore, Frazier and Spaddin soon came to Action with them; the Commodore was attacked by two of their strongest Barges, and was soon left to the mercy of the whole.

He had the misfortune to have two of his Ammunition Chests blown up just before they laid him on board; which blew up a considerable number of his men and put the rest into a good deal of confusion. The Action then beeame desperate, and Frazier and Spaddin went off without offering any further assistance. As for Dashiell, Capt. Handy and other Gentlemen on Board the *Protector* say that to their knowledge he never fired a Gun; and tho' able to go ahead of them, gradually dropt astern and most shamefully deserted them. The Commodore depended much on Frazier and Spaddin: how their Conduct will appear upon an enquiry into the matter, time ean only determine: but at present every Gentleman that has survived of the Commodore's unfortunate Crew (and even the Enemy themselves) reprobate it. Out of the *Protector's* Crew only eight escaped, but were either killed or wounded; all of the wounded since dead. How many were killed, I cannot exaetly inform you: but I fear a great proportion. The Commodore fell nobly, never did man shew more coolness, eourage and good eonduct than he did to the last: inspired with the love of liberty, and the glorious prospect of revenging in some manner the injuries and insults of his Country, he fell a saerifiee to the most abandon'd and inhuman wretehes that ever disgraced the name of man. Poor Cap^{t} Joseph Handy (his first Lieutenant) tho' inferior in Command fell with equal bravery: after having one Arm broke he still eontinued to fight with the other 'till death put an end to his noble career. Captain Christian (a Gentleman Volunteer from Virginia) shou'd not be forgot: he too behaved with the greatest bravery, but was unfortunate enough to receive a wound of whieh he is since dead. Col^{o} Cropper of Virg^{a} and a number of other Gentlemen Volunteers from that quarter were wounded, but none of them supposed to be mortally so. The *Protector's* men from the brave Commander down to the lowest Station on board (a very few exceptions) behaved as well as any men on Earth con'd have done, and Cap^{t} Handy is of opinion if their Ammunition Chests had not blown up; that unsupported or betrayed as they were, they shou'd have got the better of the Action. Capt. Handy requests me to inform your Exeellency that he has incurred an expenee of about

£120 in having our wounded men dressed and attended to in Virginia where they were put on shore, which he earnestly requests may be remitted him by Col^{o} Chaille who will hand this to your Excellency. The whole of our men that are alive are parol'd.

I have the honor to be your Excellency's
most obed^{t} Serv^{t}

ROBT. DONE.

CAPT. LEVIN HANDY TO GOVERNOR PACA.

Sir,

I make no doubt, but before this you have been informed of Commodore Walley's misfortune; however it is probable it may be imperfect as I am the only Officer from the Commodore to the Gunner's Mate that survived, shall endeavour to relate the Circumstances as nearly as my memory will admit. On Wednesday the 27th of Nov^{r} we lay in Onancock, where we had been Wind bound for several Days, which detained us from pushing after the Enemy, who we were informed was on the Sea side at Chingotegue Island, but the Wind which detained us brought them into the Chesepeake. The number of Barges we had an Acc^{t} of were six. On Wednesday the Day above mentioned, we got out of Onancock about 1 P. M. in order to meet a small Privateer, which we were informed was laying off Watt's Island with four Prizes.

As soon as we cleared Onancock Barr we discovered seven Sail baring S S W; which we soon discovered to be Barge-rigged one of which had the appearance of a Galley. Capt. Bryan in our supply Boat, making much better weather than us stood near them, and on his return informed us that it was his Opinion, that one was a Galley, which confirmed a Report we had of a Galley joining them. They stood their course for the Tangier.

It was then generally concluded, (tho' must confess contrary to the Commodore's or my own opinion) to push after them to the Tangier Coast, where it was supposed they would come to. Upon finding it would be impossible to gain them before night,

I was much against pushing them, and gave such Reasons to the Commodore, that he determined not to risque an Engagement in the night: (I imagine if I had never seen anything of the kind in the night, I might have been as anxious as any other Officer; but from what I had experienced when in the Land Service, convinced me that Expeditions in the night gave a shock to the greatest Veteran). It was then concluded to make Watt's Island Harbour which was from the Enemy's place of rendezvous, about three leagues, and about 7 P. M. came to in the Harbour before mentioned in a Gale of Wind at S. W. It was the Commodore's intention to reconnoiter the Enemy the next Day and endeavour to gain their force; if a Galley was among them he was determined not to attack them, but if only the six Barges which we had gained every Information of that was necessary, and being convinced they were not able to stand our force, it was the determination of the Commodore to make an Attack, there not being a doubt among any of the Officers, but we were very able to drub them; and some of the Officers were sanguine enough to think, we ought to attack, if there was a Galley among them. However the Wind being at N. W. on the next Day put it out of our power to reconnoitre the Enemy as they lay almost in the Wind's eye from us. In the Evening it was concluded to return to Onancock, which Harbour we reached a little before dark. The Commodore sent an Express to Col. John Cropper, commanding Officer of Accomac County, soliciting a few Men in order to compleatly Man our Barges and as well a Barge or Galley that belonged to Accomac and then in Onancock. The next Morning (Friday) being moderate the Commo[illegible] dispatched the *Defence*, Captain Frazier, to reconnoitre the Enemy. At 10 A. M. Col. Cropper joined us with about fifty Militia, which compleatly manned the Onancock Barge. We then got under way and stood out and about 1 P. M. came to without the Barr, where we were to await the return of Capt. Frazier and about 3 he joined us and said he had been in the Harbour where the Enemy had been two nights last; and that we might rest assured there was only six Barges and that the seventh sail which we saw was a Prize to them, and that they had that Morning got under way and stood up Tangier

Sound. Upon this Information it was concluded to discharge the Onancock Galley and only take such Volunteers as would act on board our State Barges. Col^{o} Cropper and sundry other Gent^{n} came on board the Commodore, who near or fully manned us. About 4 P. M. got under way and stood up the Sound and manned a small Barge which we took from the Enemy on the 16th Nov^{r}, the Command of which was given to L^{t} Sam^{l} Handy of the *Protector*. At ab^{t} 10 P. M. came to off Fox's Island. I was then ordered by the Com^{e} on board of L^{t} S. Handy to go on Shore and gain what Intelligence I could of the Enemy. I accordingly landed and was informed the British Barges passed there that Afternoon and stood for Cager's Straits. At 4 P. M. Saturday Morning got under way and stood up the Sound. At Daylight sent on board a small Schooner which lay above Jam's Island to gain information, who informed us that the British Barges certainly lay in Cager's Straits as he had seen their lights just at the break of Day.

The Commodore then informed the other Barges of the same and let them know it was his Opinion the Enemies Barges' push would be at him, and requested they would take notice and support him; which they all positively declared they would do or all sink together. At 8 A. M., we discovered the Enemies Barges under way standing from us, as we supposed endeavouring to make their escape; however they soon hove to. We then knew they meant to make battle, and continued our Course, bearing down on them. At about half past 9 A. M. the action commenced at long shot between our Barges and the Enemies, but reserved our shot from our long 18 Pounder until we thought it was in our Power with round and Grape to sink them; however it had not the desired effect, tho' it gave them a considerable shock.

Our Long 18 was but twice fired, when by Accident one of our Ammunition Chests blew up which confused us greatly; we discharged her afterwards and before we could charge and direct her again, three of the Enemies Barges were along side; when the second Ammunition Chest took fire which caused several of our

Men to jump overboard and disabled many others. Upon that, and seeing our Barges did not give us the Assistance we expected, and they falling astern, I spoke to the Commodore and asked him if he thought we had not better strike; who returned for answer, he should not. I then gave all the attention to my Musquetry in my Power, everything being in the greatest confusion. The Ammunition which blew up belonged to the short 18 Pounders in our side which rendered them useless. The Commodore fell shortly after their Musquetry began to play upon us, and Lt Joseph Handy fell near the conclusion of the Action. We being much overpowered and our Men chiefly drove from their Quarters, the general cry was on board for quarter, which our Enemy positively refused. We were soon boarded by their Blacks and little mercy shewn to any of us.

I received seven Wounds, but am happy to inform you none are mortal.

I am at a loss to know what to think of Frazer and Spedden: their behaviour was exceedingly odd, tho' I do not believe they are Cowards. As to Dashiell I pronounce him a Coward, and as such I hope he will be treated. Lt Saml Handy who had the command of the small Barge I believe did as well as he could: he never left us (altho' he could do us little good) until all the other Barges were on the flight. Captain Bryan in the supply Boat was to have been up, but was prevented by the Breeze's falling, which was, I believe, fortunate, as I am doubtful he never could have got off. I desire Col. Done to write for some Cash to be sent to me in order to defray some Expences that have incurred since our being captured; which I am in hopes to receive by Col. Chaille. Lt S. Handy waits on your Excellency with this and likewise a pay bill for three Months pay which I beg may be paid to him, as the men who are left chiefly spoke to me to act for them. Inclosed you have a List of the killed, wounded &ca

As soon as I am able to ride, shall do myself the Honour of waiting on your Excellency, I must beg you would excuse any incorrectness in this, as you may rest assured I have not been

able to set up as long since I rec^{d}. my wounds, as I have since I began this Letter.

I am your Excellencys
Most Ob^{t}. Hum^{l}. Serv^{t}.
LEVIN HANDY.

Snow Hill 13th. Dec^{r}. 1782.

NB. It was generally supposed
the Action lasted 25 Min^{ts}.
L. H.

List of Kill'd and wounded on board the Barge *Protector*.

Kill'd
Zedekiah Walley, Comm^{dr}.
Joseph Handy, 1st. L^{t}.
Capt. Geo. Christian, Volun^{tr}. from Accomack
Charles Fournier, Gunner &
Seven Privates. Total 11.

Wounded
Levin Handy &
25 Privates
two of which since dead. 26.

Accomack Volunteers Wounded
Col^{o}. John Croper
Major Smith Snead
Capt. W^{m}. Snead
M^{r}. John Revel. 4.

CAPTS. FRAZIER AND SPEDDIN TO GOVERNOR PACA.

Sir.

Several Letters have lately been rcev^{d}. by your Excellency from Somerset and Worcester county giving an Account of the late unfortunate engagement with the British Barges which reflect the highest dishonor on our conduct. We are convinced that by having a full and impartial enquiry into the Circumstances of that Day's transactions Our Judges cannot fail to acquit us, and we now most Earnestly Solicit your Excellency to appoint some speedy mode of Enquiry, for till that can be done, our reputations

are suffering the Lowest censure. I have the Hon^{r} to be your Excel^{o} most Obed^{t} and very Hum^{l} Serv^{t}

SOLOMON FRAZIER.

LEVIN SPEDDIN.

12th Decm^{r} 1782.

BRITISH PRISONERS.

List of the Prisoners belonging to the Barge *Jolly Tarr*, Commanded by Daniel I. Brooks, captured on the 15th November 1782.

Daniel I. Brooks (Commander)
Jacob Extine, Prize Master, late a L^{t} on board of *Wayland*, (says he's been exchanged)
Samuel Outten, prizemaster, late a Cap^{t} of a barge taken on Delaware, sent to Dover Goal; broke from the Centry and made his escape.
George Frost, sent in exchange for a man active with us.
James Dickson, Paroled
James Williams, A Deserter from Gen^{l} Smallwood
William Bass
Charles Baker
Thomas Morgan, Paroled
John Stansberry
Michael Poor, Paroled
5 Negros retained on board the Barges
L^{t} John Curry, of the *Jackall*, exchanged
L^{t} Peter Franks (of the *Victory*).

RESISTANCE TO STAMP ACT.

[The following papers relating to the resistance to the Stamp Act, are taken from documents in the Public Record Office, London, transcripts of which were procured through the agency of Messrs. B. F. Stevens and Brown, of London, and presented to the Maryland Historical Society by Richard D. Fisher, Esq.]

Extract of a Letter from Mr. Zachary Hude, Distributor of Stamps for the Province of Maryland, dated at New York, Sept. 23, 1765.

Our Province (Maryland) is extreamly heated. They have cut an Officer of the Sender in a shocking manner, pull'd down my House, and obliged me to flie (with a single Suit) or expect the same Fate as the Officer.

Extract of Letter from Mr. James Parker, an Officer in the Customs at New York, Sep. 22, 1765.

Commotions about Stamp Act. thinks many Americans will die rather than submit. Fermentations mostly to the eastward.

Endorsed

Intelligence from the Colonies, relating to the Stamp Act.

From Mr. Benjamin Franklin.

Read Novr. 26, 1765. not to be entered in the minutes.

Amera. Contl.

New York Novr. 10th 1765.

Sir

Be pleased to acquaint the Honorable the Commissioners that I have received my Deputation and Instructions, which will strickly follow whenever it is in my power.

The Stamps are to be sent in a Man of War to Maryland, as

they are in safety I apprehend nothing more cann be don, untill the Law is Generally Complied with in the other Colonies, for to Distribute them from a Ship of War as Intended, it will not admit of, as Times now are, and from the Spirit that is in America, it might still Increase it. Governor Colden has binn oblig'd to deliver up the Stamps to prevent the Fatell Consequences. I have received no letters with the particulars of the Parcels of Stamp Parchment and Paper Consigned me (in Mr. John Hughes Bill Lading) if any sent they are distroyed, which is the fate of all letters for me, meats with in Maryland.

I perceive by my Instructions, I am to appoint Sub-Distributors in every Town and Country in the Province, this will requir a large Stock of Stamp Paper to lodge a sufficient at each place, on the other side is the sorts that the Graitest Quantitee will be wanted for whenever the Law is Inforced. It will be some time before there will be such Men got as may be depended upon, for Sub-Distributors, for everything will be done to prevent it, and a Number of Complaints will follow from those very people who is the Cause of it, it will not be in my power of Attending in Person at each place, it would be remissness in me not to mention the above, for no person is allowed to Transact any kind of busñess for me, they have binn forbid by sum of the House Burgises with threatning, thus am I Circumstanced, driven out, the Graitest part of my Fortune sunk, my Business at an End, notwithstanding I will discharge my duty whenever its in my power in this or whatever may be Intrusted to Sir

Your very Humble Servant

ZACH: HOOD.

To John Brettell Esqr.

Extract of a Letter from Charles Steuart Esquire surveyor Genl in America to the Commissioners of the Customs dated at Philadelphia 7th Decr 1765.

Gentlemen.

Your Honours, I presume, have been informed of the distracted State of this Continent on Account of the Stamp Act, I

am but ill qualified to give a Description of it, for though I have travelled near 2000 miles since my Arrival in America, I have been fortunate enough to escape all the scenes of Rage and Madness that have been acted in it. I must therefore beg Leave to refer to the Accounts from those Officers whose Residence enabled them to give more full Information and particularly to the Officers at New York, where the fury of the Mob committed great Excesses. All the Distributors of Stamps between Halifax and S^{t} Augustine have been compelled to resign their Commissions, and no stamp papers can be obtained in all these Countries, this has thrown them into great Confusion. The Courts of Law are shut, Redress for Injuries cannot be obtained, debts recovered, nor Property secured or transferred. But the Evils necessarily occasioned by a Stop to the internal business and Police of the Colonies, are not equal to the Consequences of shutting up their Ports at this season of the year—permit me briefly to enumerate a few of them. Thousands of Seamen and Others whose sole Dependance is on Navigation not only rendered Useless to their Country but deprived of the Means of Subsistance, Provisions for which there are at this time large Orders, particularly for Corn for France, Spain, Portugal, the Mediterranean &^{c} must perish on hand, while famin may spread itself through our West India Islands by being suddenly cut of from their usual Supplies; Ireland would be greatly distressed by the Want of flax seed from hence, on which her linen Manufacture depends; Other Articles of Produce by which Remittances may be made to Britain detained in the Country—the Revenue lessened, and trade and Navigation the Source of Wealth and the Support of a Maritime and Commercial Nation, entirely stopped, which must be attended with Ruin to Multitudes and distress to All. These are weighty Considerations, but a stronger Inducement for proceeding to Business here and at New York still remains.

The Officers at both Places have by their Address and prudence evaded for a full Month granting Clearances, in hopes that some way would be opened by which they might be extricated out of their Difficulties, that time did not pass without strong Applications and even threats, which they had great Reason to

believe wonld soon become very serions. It is snpposed there are now in this Port 150 Sail of Vessells; the frost generally sets in about Christmas, and continues npwards of two Months; Nothing is more certain than that so great a Number of Seamen shut up for that time, in a town destitute of all Protection to the Inhabitants, even a Militia, wonld commit some terrible Mischief, or rather that they would not suffer themselves to be shnt up bnt would compel the Officers to clear Vessells withont Stamps this would undoubtedly have been the Consequence of a few days longer delay. And, I hope, I need not add, it wonld have been highly imprudent to have hazarded the Event; the least Evil attending it would in all probability have been the Loss of about £5000—belonging to the Revenue in the Custom house.

The Collector came to me on the Morning of the 2^{d}. Instant, told me his Situation, his Apprehensions and his Resolntion of proceeding to business immediately; I could not refuse my Approbation and wrote circnlar Letters to all the other Ports in the district except Qnebec, a Copy of which I have the Honour of sending herewith. I had before written to the Officers at New York when that City was governed by the Mob, that they must clear Vessells, if necessary, which they every Moment expected to be forced to, but the Arrival of their Governour gave them some Respite, and they got leave to wait till Philadelphia should take the lead; they accordingly began the 5th The Governours were applyed to, bnt thonght proper to observe a cantions Silence. I might have done the same, but do not think it honourable, nor consistent with my duty to withhold my Advice and Opinion in a Matter of Difficulty, when called upon by those who have a Right to demand them.

Having now without Exaggeration laid before yonr Honours the Situation in which the Officers of these two Ports stood, it is humbly hoped that, abstracted from any Reasoning on the Propriety of the Step they have been compelled to take, their Conduct and my Approbation of it will stand jnstified on the Plea of Necessity and Self Preservation.

To the Right Honourable,
The Lords of the Treasury.

The Humble Memorial of Zachariah Hood late stamp Distributor in Maryland North America.

Humbly Sheweth,

That the appointment of your Memorialist to be a Distributor of the stamps (at the Recommendation of the late Ceciylius Calvert Esq[r] uncle to the Right Honourable Lord Baltimore) was productive of Consequence to him very fatal and Distressful, that on the arrival of the commission together with a large quantity of your Memorialists goods from England, he was obliged to leave them all exposed to the rage and fury of the populace: so that it was with the utmost difficulty, and at the hazard of his Life, he escaped with one suite of clothes to the Fort at New York, which he was compelled to do or to resign in form, the latter he could not think of submitting to, as it would have been a breach of an important trust commited to him by his Majesty.

Thus the business of your Memorialist as a Merchant was ruined, his views and expectations disapointed, his connections destroyed, and his goods left unsold part of which perished; as no person dared to act for him or even so much as to correspond with him, after your Memorialist had been banished and deprived of his all, he thought that when the stamp act was repealed he might be permitted to live quietly amongst his friends, with these hopes he returned to Maryland, but soon found that their resentment continued, for they said that your Memorialist was the only person employed by his Majesty who refused to resign, as these prejudices still remained and he had lost both his Mercantile business and Interest, together with that esteem in which it is well known he was once held by his countrymen, he was induced to Leave the Colony and seek some other place where he might spend the remainder of his Days in peace and safety.

That your Memorialist presumed some time ago to present a state of this his Unhappy case but being unable to live in the Kingdom unemployed hath since been under the Necessity of

undergoing the greatest fatigues of mind and Body in Voyaging to the West India's as a bare means of Support until it should please his Majesty to bestow on him some mark of his Royal bounty.

The British Parliament after the repeal of the stamp act having been pleased to recommend all the suffer's by these appointments to his Majesty for protection and support, your Memorialist presumes to lay before your Lordships the state of his unhappy case, humbly hoping that it will be found to be such as will recommend your Memorialist to some degree of your Lordships notice, approbation, and encouragement, and assuring your Lordships that your Memorialist shall ever esteem the least mark of his Majestys Bounty and Approbation Conferred on him through your Lordships recommendation an ample sattisfaction and reward for all his sufferings brought upon him in consequence of his faithful and steedy perseverance in his Duty, and that your Memorialist will Anxiously Endeavour to justify your Lordships Recommendation of him to his Majesty by a faithful diligent and Unshaken discharge of the Trust reposed in him, and your Memorialist shall ever as in duty bound pray.

ZACH: HOOD.

Old Broad Street Nº 2

(Endorsed)

Memorial of / Zachariah Hood / late
Distrubutor of Stamps / In Maryland. / Rx Feb. 19, 1771.

HEAMANS' NARRATIVE.

[See note, Vol. III, p. 288.]

An additional brief NARRATIVE of a late bloody design against the Protestants in Ann Arundel County Severn in Maryland in the Country of Virginia—as also—of the Extraordinary deliverance of those poor oppressed people. Set forth by Roger Heamans Commander of the ship *Golden Lyon*—an eye witness there

London July 24—printed for Lioenell Chapman at the Crown in

Popes Head Alley—1655

Narrative, &c.—That the 6th of Nov. last in the year of our Lord 1654, he set sail from the Downs then outward bound for the Bay of Virginia for the parts of Patuxent and Severn thro the blessings of God arrived at Patuxent the 29 of Jan. following. That within two days after his arrival at that Port there came a boat with about five persons therein to the ship side and by information of one of his ships company who formerly had been at Maryland, declares that Capt. Stone, formerly Gov. Stone, was there. He therefore called assistants of his ships company to man the ships side to accommodate the coming up of Mr. Stone into the ship, where after some civil respects shewed him, he called for a glass of wine and drank to him by the name of Gov. Stone—at which he replied, he had formerly been a governor, but was not so now—that Governor there at present was one Capt. Fuller, a gentleman lately settled by the commissioners of the Parliament of England—and that Mr. Fuller was then at Severn. He was likewise so informed by the inhabitants of Patuxent, but understood nothing of any difference or hostile preparations in the least.

After some dispatches of affairs in relation to the proceedings of his voyage and hard weather was broken, y^e^ 16th day of Feb.

early in the morning set sail for Severn where he arrived late that night, and settling the ships business went the next morning ashore to attend the governor whom he found there, and having given the Governor satisfaction as to his intended proceeding came aboard his ship again.

On the 15th of March following in order to his voyage left directions with Mr. Cole, his mate, concerning the ship and manned forth one of his sloopes and himself went for Roads Rivers some 7 leagues distant from thence to proeure goods, but before he could dispatch his business there, received a particnlar message from Capt. Fuller, the governor, then also at Severn, requiring him presently to attend him, and that his men might presently repair to his ship there at an anchor at Severn. He not knowing what speed such a message might require, left his business and endeavored as soon as might be to wait upon the Governor. But as he drew near he perceived a peice of ordnanee fired from his ship which much amazed him and his boats crew, whereupon hastening to the ship, at his coming on board he there found Gov. Capt. Fuller with Mr. Cole whom he had entrusted the care of his ship unto and demanding the reason of firing of that gun, he told him it was by the Governors order.

The Governor forthwith related to him that he had received certain intelligence that Capt. Stone with a party of Roman Catholics, malignant and desaffected persons who had called to their assistanee a great number of heathen were in arms—and what other they could not by force persuade, they forced along with them, plundering all that refused to assist them. That they had privately designed the destruction of the Governor and all the Protestants of Severn, and to destroy men, women and children that should not submit to their wicked design. And this the better to carry out their interest was under pretence of bringing into subjection those factious people in the county of Ann Arundel to the obedience of L. proprietory—not owning the Lord Protector of England &c., his power in the least.

The Governor also further informed him that the design was against him, his ship and company—if they would not assist Capt. Stone to fire his ship riding at anchor and to be effected

by one Abraham Hely, a seaman who run away from his ship at Patuxent, and this design so settled that Capt. Stone and his soldiery were ready to march.

The sudden news of such horrid treachery to be acted by such instruments put the poor inhabitants into so lamentable a condition, in respect they were so surprised that they had no deliverance to expect, but only extraordinary providence from God having formerly by sad experience known the malice of their adversaries against all that owned the way of God in truth.

The Governor desired that many of trembling women and children might come on board the ship which was granted. In the mean time his council and the inhabitants consulted their own safety and agreed to have a letter drawn up to be directed to Capt. Stone and sent him by messengers of their own by the ship wherry.

A first message having been sent to demand his power and the ground of such proceedings—the second message to him being such low terms that those that sent it were greived at their hearts that it ever went out of their hands—which was as followeth :—

For Capt. W^{m} Stone.

Sir :—The people of these parts have met together and considered the present transactions on your part—and have not a little marvelled that no other answer of the last message hath been made than what tended rather to make men desperate than conformable, yet being desirous of peace, do once again present to you serious considerations on these ensuing proposals as the mind of the people.

1. If you will govern us so as we may enjoy the liberties of English subjects.

2. And that we may remain indemnified in respects of our engagements and all former acts relating to the Reducement and Government.

3. That those who are minded to depart the province may freely do it without any prejudice to themselves or estates. We are content to own yourself as Governor and submit to your Government. If not we are resolved to commit ourselves into the hands of God and rather die like men than be made slaves.

W^{m} Durand, Secrety.

But no answer to this was returned but the same paper in scorn sent back again. The messenger being despatched from the Governor and Council had the ship *Golden Lyon's* wherry for their more speedy passage, and they accordingly came to Capt. Stone, whom with the whole body they met at the Cliffs, some marching by land and others in sloops or boats coming by water in pursuance of the bloody design.

And upon the messengers coming to him to present the letter he immediately in a rage commanded the messengers to be taken in to Guard and took away the wherry, yet two of the messengers escaped and came to Severn and acquainted the Governor and Council of the enemies proceedings and what further intelligence they could meet with. And that withal that Capt. Stone had so ordered that if the commander of the ship *Golden Lyon* would not assist him and his company the ship should be fired as it lay at anchor by a servant of the commanders that run from him at Patuxent.

The Governor and Council in order to their security sent several warrants requiring observance of their commands, one whereof was directed to the relator hereof as followeth:—

To Capt. Roger Heamans, Commander of the *Golden Lyon*, now residing at anchor in Severn River in Providence.

Sir:—The Government of Maryland hath been settled by the supreme authority of the Commonwealth of England and confirmed by the said power which is expressly owned what their Commissioners Rich. Bennet Esq. and Col. Will. Claiborne and Capt. Edward Curtes had done, and since by the Lord Protector which is now contradicted by the Lord Baltimore and his officers without showing any power—these are in the name of the Lord Protector of England and to will and require you the said Capt. Heaman with your ship and men to be for the service of the Lord Protector and Commonwealth of England in assisting to your power the people of Providence oppressed.

Given at Providence the 22 Mar 1654.

Wil Fuller.

The Governor sent a seeond warrant dated 23 of Mareh following.

These are in the name of his Highness the Lord Proteetor to will and require you Capt. H. Comm.r of ye *Golden Lyon* to command all such boats and vessels as now arrived or shall arrive to disturb the Government here settled under his Highness the Lord Proteetor and there to detain until further ordered herein as you shall answer the contrary to your peril.

Given 23 March 1654.

William Fuller.

Dirceted to Capt. Roger Heaman.

This day in the evening, the ship Wateh deseried a boat rowing near to the ship, whieh they commanded in. And when the men were come on board they presented a letter from Capt. Stone directed to the relator here of, who as soon as he received it went forthwith ashore and showed it to the Governor and Counеil. The effcet is as follows:—That he had heard the relator would with his ship and company aid and assist the people of Severn against the Lord Baltimore's Government which by persuasions he desired a desistance from and that for his satisfaetion he had sent a petition presented to his Highness the Lord Proteetor and with al his Highness ordered there upon declaring against the Government of Riehard Bennet Esq. in Virginia, yet in truth sends no such things in the letter but appointed the bearer to say so. Therefore Capt. Fuller and the Counеil being well satisfied as to the matter of the letter that it was of no great weight, desired the letter might be answered by the Relator as he thought and send away the messenger, who presently writ a letter to Capt. Stone as followeth:—

Sir:—After my serviees to you presented, these are to eertify you, I have reeeived your letter wherein you write to me of several things in partieular—as [not] to resist your power whieh you have from the Lord Proteetor of England, a thing altogether disowned by yourself to me at Patuxent and which if I onee eould see I should readily with my ship and life be ready to

serve you but expecting to have received as copy thereof as you write to me and satisfaction of the truth thereof I find it only reported by yourself and of no more credit. I find at Severn the government settled in Capt. Fuller by the supreme power of England, and since established by the Lord Protector, which Sir I am bound to obey. I have received several warrants from them which this bearer hath seen and desire you to be satisfied therewith—which is all at present &c.

R. H.

From aboard the *Golden Lyon*, March 23, 1654.

The same messenger then also received a letter from Mr. Richard Owen directed to Capt. Stone. Mr. Owen was a merchant then aboard the ship and by his letter certified him as followeth verbatim :—

Sir—my kind love and respects to you presented, hoping of your good health—these are to certify—that I have seen the letter you sent to the commander of the *Golden Lyon* which is my loving friend wherein I nnderstand that you have heard strange reports that he should act I am sure for his part that he desires to meddle neither with one thing nor other bnt to ply his voyage, which is that he came to do. But I think you cannot blame him to obey the power here until such time as you show him yours; and then I am sure he will to the utmost of his power obey you in what you shall command him and not only him bnt I myself and all the people in this place—for we must and will own and obey the Government of the Lord Protector of the commonwealth of England and am sure if you do but once produce that from His Highness you need not think the people will do anything else bnt obey yon. Sir the Captain and I dealt with Mr. Preston of Patuxent for some goods and now here we are like to suffer in by reason of you which I hope Sir we shall not need to fear. Do therefore crave to rest as your friend and kinsman to command (*Golden Lyon*, Mar. 23, 1654).

Richard Owen.

The relator receiving daily intelligence of the threats of Capt.

Stone and his party and their designs against his ship endeavored to get his freight aboard which with in a small matter was now accomplished and the 24 of March in the morning went ashore to acqnaint the Governor thereof and that in pursnance of his employers trust he intended with the first expedition to get his water aboard and so depart the Port. Where upon the Governor and Council considered of the stoppage of the ship, receiving daily intelligence from all parts how subtily the interest of the Lord Baltimore was carried out and under such prctences and how their adversaries were then near at hand drew np a special warrant and sent for the relator hereof and in the presence of the council the governor there gave him a particular and strict charge in the name of His Highness the Lord Protector of England &c not to offer to depart the port without his order as he and his compane would answer the contempt thereof at their peril declaring then how much the government established by his Highness in that Province was now concerned that their enemies were cruel and bloody and very malicious against any that owned the protestant cause.

The Relator then used several arguments to the Council in behalf of his departure, the trust of the owners in him and that their goods were now on board, that his ship was upon merchants affairs and no ship of war. These and many other reasons were urged but the necessity of affairs could admit of no longer dispnte and therefore they did require his speedy repair on board.

The Governor also by advice of his council had drawn up a special warrant and cansed the same in the absence of the relator hereof to be fixed to the main mast of his ship, which warrant he knew nothing of till his coming on board, the effect whereof followeth:—

These are in the name of his Highness the L. Pr. of the Commonwealth of Eng. and for the maintenance of the laws of the L. Protector established in this Province by the snpreme anthority thereof and for the defence of the lives, liberties and estates of free and obedient snbjects of the Commonwealth, to require and charge you, Capt. Roger Heaman, commander of the

good ship the *Golden Lyons* of London, now riding at anchor in the River of the County Providence of Maryland, to serve the public interest of the said Commonwealth concerning the people of Providence and the rest of the subjects of the Commonwealth there residing in your own person, with your ships company, the ships ammunition, in such services as you shall be commanded by the Government here established by the Commissioners Rich. Bennet Esq., Col. W^m^ Claiborne and Capt. Edmund Curtis, who by the supreme authority reduced this province and is since settled by further power. And hereof you are not to fail, as you will answer the contra to your peril.

Given at Providence, March 24, 1654.

Will Fuller.

The relator at his coming aboard his ship upon reading the warrant had several debates by himself and officers and after by himself and whole ships company, whom he found there unanimous in their resolutions [for] relief of those distressed people, and that they altered not from their first engagement in England to defend to the utmost with their lives and fortunes the established Government of England and in all places the Government subordinate to that, and that the case of the Protestants there was their own, did then resolve not to leave that port until God should put an end to the restless condition of their brethren and suffer their deliverance to be wrought from so wicked a design—then full ripe—against them.

The same day at night—in order to his ship's affairs, the Relator went ashore to have his bills of lading formed but staid not, being required to attend the Council who then imparted to him the certain news of the enemies entering the mouth of the harbor with a great number of sloops and boats full of men armed, with drums and colors, in pursuance of their design and therefore require him speedly to repair to his ship with two of the Council and to observe their commands.

That suddenly or within two hours after at the most, in the very shutting up of the day light, the ship's company descried off a company of sloops and boats making toward the ship, where

upon the Council on board and the ship's company, would have made shot at them, but the relator commanded them to forebear and went himself upon the Poop in the stem of his ship and hailed them several times and no answer was made. He then charged them not to come nearer the ship, but the enemy kept rowing on their way and were come with shot of the ship. His mates and company having had information of their threatenings, as well against the ship as the poor distressed people resolved to fire upon them without their commander's consent rather than hazzard all by the enemies nearer approach, where upon he ordered them to fire a gun at random to devert the course from the ship, but the enemy still kept course right with the ship and took no notice of any warning given. He then commanded his gunner to fire at them, but one of his mates, Mr. Robert Moores, who knew the country very well, the malice of the adversary against those people who were then near worn out with fear and watching made a shot at them, which came fairly with them, there upon they suddenly altered their course from the ship and rowed into the creek, calling the ship's company Rogues Round heads—Rogues and dogs, and with many execrations and railings threatening to fire them in the morning.

The same night came further intelligence from the enemy in the harbor as they lay there that they were making fireworks against the ship—where upon the Governor whose prudence and valor in this business deserves very much honor—commands a small ship of Capt. Cuts of New England, then in the River, to lie in the mouth of the creek to prevent the enemy's coming forth in the night to work any mischief against the ship.

The next morning by break of day, being the Lord's day, the 25 of March last, the Relator himself and company discerned Capt. Stone with his whole body drawn out and coming toward the water side, marching with drums beating, colors flying—the colors were black and yellow—appointed by the L. B^{r}. There was not the least token of subjection in Stone and company or acknowledgement of the L. Protector of England; But God bless the Lord proprietory and their railing against his ships company was Rogues and round headed Rogues &c.

The Governor by this time perceived the enemies quarters—and now time admited no delay—after an earnest seeking of God and laying their innocence at his feet with his own canse, in so remote a part of the world, resolved with an humble chcerfullness to go over to the enemy and withal sent for the English colors used aboard the ship in the service of his Highness which were bent and fixed to a half pike for the governors nse, He having neither drums or colors in his party and then went over the River some six miles distant from the enemy, and at his muster of his party it consisted of 107 and no more—the enemies body was then 250 and upward as by themselves were related after the fight.

The Governor and his company being come to an open place resolved to pitch his colors there, being the colors of the Commonwealth of England which he believed might beget the enemy to incline to a parley and prevent the shedding of blood by which time the enemy was come thither and without any deliberation at all made several shots at the setting down the colors, and as the Relator is informed killed two of the Governors men —where upon the Governors body had thc word given them—in the name of God fall on, God is our strength and with very much courage gave fire at the enemy whose word was, Hey for St. Mary—hey for two wives, who with great boldness engaged likewise, which came to a very sharp dispute thongh blessed be God not long till Stone and his whole party totally ronted and near 40 of his men slain upon the place—now called by the name of the Papish pound—and several desperately wounded and it pleased the good hand of God to order things so not withstanding the great thickness of the woods and other advantages for the enemy's nobody escaped, but what were prisoners and in custody. And of the Governors company there was only three killed on the field and three since dead of their wounds, which nnparallelled mercy did beget a far greater joy than can be related. And to the relators knowledge no narrative yet made is to be eqnalled to the peoples religious hnmble and holy rejoicing each common soldier with such christian instrument revived the hearts of one another –Give the glory to the Lord of our deliverance.

All the arms, bag and baggage was taken together with the boats that brought them where in were the preparations and fuses for the firing of the ship *Golden Lyon*. And amongst the rest of their losses all their conseerated ware was taken, namely, their pietures, erucifixes and rows of beads, with great store of relies and trash they trusted in, whieh as the relator is informed, divers was put to the aneient or colors for their defenee, the vanity whereof as also their great boasting in their own strength had much eonfirmed the people of God in those parts.

Capt. Stone him self was so eonvineed in this over throw that he declared that he did eoneeive he was eursed and many such like words expressed in that he should be brought into so ignominious over throw and be rather in company with those whom he knew were the very direet and absolute enemies of the people of God, and did much repent his ever undertaking their late design—deelaring further—that it was just with God to blast his eompany and him—and for his part did wholly diselaim the Lord Baltimore's cause and interest and engaged he would ehoose rather to die than to own his eause, to join with the Catholics.

The relator did observe further when he came ashore after the fight God had sent such a spirit of fear and trembling in the heart of the enemy, that the poor tired people who slept as they were keeping the door where the prisioners were put in, yet their adversaries durst not run away. The relator amongst the prisioners found Hely, a seaman, who run from his ship at Patuxent, who was partieularly brought before the Counеil upon the 28 day of Mareh 1654, examined, did then eonfess that he was solicited by divers eminent officers under Capt. Stone to set fire on the ship or blow up the ship *Golden Lyon*, whereof Capt. Roger Heaman is commander, and some implements and materials delivered and large rewards promised to effeet it. And he further deelared aboard the ship after he was eleared by the Governor that the firing of the ship should have been the same night they came into the harbor with their boats, and that two of Capt. Stone offieers were to go along with him and for this serviee he was to have 20,000 lbs. of Tobaceo.

The Governor being daily solieited by the relator for his

dispatch from thence was some few days after the fight discharged, at which time after many thanks of the governor and people he set sail with the first opportunity and came for Patuxent, where he heard a large narrative of the enemies threats against him and his ship and they had burned and destroyed a great part of his woods and cash. And Hely, the second night of his arrival in Patuxent, fearing his trial at his return home, ran away again.

The relator on this so remarkable a passage was an eye witness of the constant and religious practice and duties of those precious servants of God in those remote parts with what assurance of beleiving they rested on the God of their deliverance that neither the malice or treachery of so subtle an adversary could change them on their resolutions from waiting upon God for his great mercy which they before hand did assuredly beleive and see as if acted already.

In all this time—notwithstanding the false and scandalous reports that the relator himself should be a fomentor or strickler amongst the Protestant party to withstand the lawful power of Capt. Stone, Governor under the Lord Baltimore, as some would suggest, he is easy to prove. He never left his ship at any time unless about his freight or when the Governor by special command enjoined his appearance at the Council.

He could say much as to the pretences of Capt. Stone and others as to the laws for liberties, but leaves that to his prudence of his Highness the Lord Protector, that hath provided better Governors for the people of God than profest enemies of his truth and those who hunt after the innocent.

What he did in relation to the Protestant cause he doubts not but good men will own and encourage others to act the like and to say no more in this. He hath seen the Plottings of the wicked and the deliverance of the innocent.

The truth of this relation, the Relator with his merchants and all his ships company are ready to justify.

The first message sent to Capt. William Stone Esq.

Where as we are given to understand that by warrant from

yourself expressed to be in the name of his Highness the Lord Protector of England &c., a party of men in arms was appointed to surprize the Records of this Country, to remove them from the place where by act of assembly they were appointed to be kept, which is effected, we think it our duty and the discharge of trust which is committed to us by the Commissioners of the Commonwealth of England to require you in the name of the Lord Protector of England that for the peace and welfare of the province and preventing of troubles if you have any other or higher power than is here established by the Commissioners of the Commonwealth of England you would make it known to us and to the Free Inhabitants of this provience in an orderly and legal way which indeed is the great desire of the people about Providence and Kent as well as others which power being once made known shall not be opposed or disturbed by us in the least measure.

And this also we request of you as friends and neighbors which is so equitable as cannot be denied by any that have good ground for what they do or desire the peace for the Commonwealth of England and the honor of His Highness the Lord protector himself or the accommodation of their own affairs and proceedings. For our parts we affect not preeminence but had much rather be governed ourselves by the laws of God and lawful authority of him set over us than that we ourselves should be in an employment, the nature whereof in these times is above our abilities, and those that are far more able for we beleive that God himself reigns and will bring down all high mountains which men are lifted up to and there upon oppose the kingdom of Christ. Our addresses to you at this time are in a way of peace and love. And we entreat you as you are Christians to be tender of his name, the condition of so many that are in darkness inwardly and outwardly and to take care that the country be not brought to mire and desolation whilst you think to heal the breaches thereof. We hope it shall be found that we are not the men as we are censured to be by men if we be true to that which is just and right or not repugnant to the lawful authority, not injurious to our neighbors.

Sir, we have sent a messenger to you on purpose with these

demands and requests desiring your answer if you desire the composement of the affairs of the province, the good of your friends and neighbors and your own and so we desire the God of heaven may council and direct into that way which is well pleasing unto Him and all honest men and rest your loving friends.

W.[illiam] F[uller
W.[illiam] D[urand
R.[ichard] P[reston
L.[eonard] S[trong
R.[ichard] E[wing

March 5, 1654

This was subscribed by the Commissioners at Providence.

William Durand,
Secretary of the Province of Maryland.

Finis.

FRANCIS SCOTT KEY AS A CHURCHMAN.

CLARENCE C. WROTH.

In the historical exhibit of the Diocese of Maryland at the Jamestown Exposition, one of the collections which aroused much interest was the panel devoted to the religious side of the life and character of Mr. Francis Scott Key. Many who saw it learned for the first time that Mr. Key was the author not only of our national song, but also of much sacred verse, some of which has enriched the hymnals of nearly all the religious bodies of America. They learned also that at two different periods of his life, Mr. Key was earnestly contemplating entrance into the sacred ministry. It is the purpose of this sketch to consider Francis Scott Key, the churchman, more fully than was possible within the limits of a single exhibition panel.

Mr. Key was born on his ancestral estate in that part of Frederick County which is now Carroll, in the year 1779. His greatest claim to the attention of posterity lies of course in the fact of his authorship of the *Star Spangled Banner*, the story of which is so well known that a repetition of it here would be almost an offence. In the general mind, he is one of those remarkable personages who seem to have lived solely that they might make one supreme effort in battle, in politics or in song, passing afterwards into the oblivion where they had previously dwelt. Those, however, who look deeper into the facts of his life see him as an eminent practitioner of the law in a day of great lawyers; and those who view yet another side of his career realize that in him the American Episcopal Church had one of its few great laymen, a type which is much less common here than in England, where churchmanship and statesmanship seem to be better bedfellows.

During the Nullification troubles in 1832, President Jackson employed Mr. Key on a confidential mission to South Carolina,

and in 1833 he appointed him to the office of United States Attorney for the District of Columbia. To this position he was reappointed by President Jackson, and later by Van Buren. He died in 1843 and was buried in Frederick. His handsome head and face, his dignity, and his rare oratorical powers marked him in all assemblies. He was a type of the high-minded gentleman and man of affairs that has been one of the factors in the conduct of the American nation.

We find Mr. Key busy in the affairs of the Episcopal Church many months before he had become more or less of a national figure through his authorship of the *Star Spangled Banner*. He sat in the Diocesan Convention of 1813 as a delegate from St. John's Parish, Georgetown, and although he had not previously been a member of this body, he was chosen by it to represent the Diocese in the General Convention which was to meet in Philadelphia in the following year. For some reason he was not in attendance upon the meetings of this General Convention, but from this time onward he occupied an eminent position in the councils of the Church.

In April 1814, there began a correspondence between Dr. Kemp, then rector of St. Paul's Parish, Baltimore, and Mr. Key relative to the latter's entrance into Holy Orders. His part of the correspondence is now in the Maryland Diocesan Library in the keeping of the Diocesan Records Committee, with whose permission it is here reproduced. As far as is known, none of the letters which follow have ever been in print.

Dr. Kemp's proposal to Mr. Key was that he should enter the ministry as his assistant in the work of St. Paul's parish, probably intending that he should be the associate rector of the parish, holding services according to the arrangement existing at that time alternately in St. Paul's and Christ Churches. Mr. Key's reply tells us much of his high sense of personal honor, convinces us of his sincere religious conviction and shows plainly the school of churchmanship to which he belonged.

Geo. Town—
April 4, 1814.

Rev[d] & D[r] Sir:—

Your letter should have been sooner answered, but it came while I was in Charles County whence I returned home the night before the last very much indisposed.

When I thought a few years ago of preparing myself for the ministry, it seemed to me, from all the consideration I could give it, that I was peculiarly situated, & had entered, almost necessarily, into engagements that made such a step impossible.—At the same time I hoped (as I still do) that if the path of duty would lead me to this change of life, I should be enabled to see it, & that my present course should be stopped if I could serve God more acceptably in the ministry.—I did not to be sure ever think of such a situation as you have suggested; but I have doubts how far, even in this way, an abandonment of my profession could be reconciled with the necessities of my present arrangements.—I have been obliged to contract (not on account of any concern of my own) a very considerable debt—and the relinquishment of my present pursuits would materially affect others (some even out of my own family) to whom I seem to have become bound.—Under these circumstances you will perceive I ought not lightly nor without mature consideration, to make so important a change in my situation; and I should be very glad of your thoughts upon the subject.—That I could support my family upon the terms you have mentioned I think probable: But I should find it difficult (if not impossible) to do more; and to do more I seem to be necessarily bound. Would it be practicable to make anything as an author of religious & Literary publications? And would I have any leisure for such engagements?—

The great advantage of entering the Church under an association with you I am fully sensible of, & this more than anything else inclines me to think it may perhaps be my duty.—At least it will induce me to give the subject a full deliberation & to endeavor to ascertain if the nature of the engagements I have intimated can justifiably allow of it.—

I believe we differ upon the subject of Episcopacy—you consider it as the divinely established & only form of Church government & that there is no valid ordination elsewhere. I have never seen anything to satisfy me of this, but though I have been led to think it a *form*, I still think it the best form.—And this difference is, I believe, no more than has always existed among the members of our Church of whom many respectable

names are on each side of the question.—As to our Church service, few persons can be more attached to it than I am.—I lament that any of our ministers should substantially depart from it, though I love and esteem some who occasionally do so. I regret also that others should insist upon a literal and universal compliance as absolutely essential to be enforced by strict Church discipline; and though I think such a design would introduce a spirit of controversy & persecution, that would perhaps make an irreconcilable schism in the Church, about things, that, if they were not disputed about, would create no differences, yet I have an equal affection & regard for some who I believe hold this opinion.—I have been remarkably influenced by the conviction of many most erroneous opinions of my own, to allow for those of others—& have been led to see great merit among the advocates of each side of a controversy.—I believe that God will sufficiently enlighten every man who hungers and thirsts after righteousness, & prays to be led into the truth, & that it may be consistent with his wisdom & goodness to leave us for a time under the influence of some errors.—

However we might differ in opinion I feel gratified in believing that our hearts would be united in one great purpose, & our labours directed to the same end: & I am not so vain & self-confident as not to be fully persuaded of the importance of entering upon so solemn a calling with such a connection as you suggest.—I am obliged to leave home again for a week or a fortnight, & will not fail to think of this subject & write to you.—

A[llow] me to hope that I may have your candid advice and your prayers that I may be rightly directed.—

truly & resply
Yrs

F. S. Key.

P. S.—May I be allowed to mention this subject to two or three friends, whose counsel I should wish?—that is, if, on reflection, I find a difficulty in determining.—As far as I have been able to think at present, I do not see how I can extricate myself from my engagements.—

The following letter written more than three weeks later seems to have closed the matter finally, for we hear no more of Mr. Key's entering the ministry after this date.

Geo Town
April 28, 1814.

Dear & Rev[d] Sir—

I have been kept from home by sickness or I should have attended to your last letter sooner.—

I have thought a good deal upon this subject, & the difficulties that at first occurred to me appear insurmountable.—It has also occurred to me that if I was to enter the ministry with a view to so profitable a situation I might be supposed to act under the influence of unworthy inducements; & thus the cause of religion in some measure might receive injury, or at least those persons prejudiced against it, who might think they saw reasons to believe me so improperly influenced.—

I trust that if I have been incorrect in this determination, I shall be brought to see it, & that God will make plain to me his will and my duty & give me strength to perform it.—

I am with sincere respect

truly yrs

F. S. Key.

The friendly tone of these two letters was, however, to change abruptly before many months should pass, for in June, 1814 in a manner which was regarded as unfair by a large and important party in the Diocese, Dr. Kemp was elected Suffragan Bishop of Maryland. Party feeling was strong at this time in the Diocese, and Dr. Kemp had been the candidate of the "formalists," as the high churchmen of that day were called. His opponent Dr. Contee, was equally prominent as the leader of the "evangelicals." Associated with him was the Rev. George Dashiell, a less worthy man of whom we shall have something to say later.

Bishop Kemp's election was made the subject of a protest to the House of Bishops by a number of clergymen and laymen, who objected on several grounds to his consecration. Among the signers of this document was Mr. Francis Scott Key, but with his characteristic charity of heart and clarity of mind he alone of the subscribers did not concur in the accusation that the election was the result of "premeditated management." He maintained that the high churchmen had at the outset of the Convention no intention of forcing an election, but that finding themselves in an

unexpected majority they had rushed Bishop Kemp's election through at the last moment. It was therefore on the purely legal ground of "insufficient notice" that Mr. Key based his protest against the manner of the election. I have forborne to copy here a letter of his to Bishop Kemp on this subject, written shortly after the election, in which in straightforward and respectful language he gives his full reasons for joining the opposition to the consecration. It is a long letter on a painful matter, and adds but little to our knowledge of the men and events concerned. Bishop Kemp seems never fully to have forgiven Mr. Key for his part in the affair, in spite of the fact that this had been patently that of one who acts in all sincerity.

There is no use in further dwelling upon this ancient quarrel; the House of Bishops answered the "protest," clause by clause, and proceeded to the consecration of Dr. Kemp as Suffragan Bishop of Maryland, the first and last time in the history of the Episcopal Church in America that the office of suffragan bishop has been held by anyone. One of the immediate results of the consecration of Bishop Kemp was the attempted creation of a schism by the Rev. George Dashiell, the rector of St. Peter's Church, Baltimore. His efforts resulted finally in the formation of the Evangelical Episcopal Church, a body which at no time attained any standing and which died with its founder. Mr. Dashiell's deposition was followed by the celebrated case of the State of Maryland *vs.* the Vestry of St. Peter's Church, in which the decisions were watched with keen interest by the people of every denomination, not only in Maryland but throughout the country. Dashiell's radicalism must not be taken as representative of the attitude of the evangelical party at large; low churchmen of the stamp of Key deplored his action as sincerely as did the most ardent supporters of Bishop Kemp.

Of no real significance, but of some local interest is the fact that the authors of the only two schisms which have arisen in the American Episcopal Church have at one time been rectors of St. Peter's Church, Baltimore. The founder of the Reformed Episcopal Church, Bishop Cummins, held this charge a few years before his accession.

Mr. Key was a delegate to the General Convention of 1817, and from the time of his first attendance upon its sessions, he became a distinguished figure in the councils of the Church. Bishop McIlvaine, as quoted by William Stevens Perry in his *History of the American Episcopal Church*, says that in the General Convention of 1820, "Key was the only one who was allowed to stand up in defence of evangelical truth." We need go no further than the journals of the General Convention to learn of his activity in the deliberations of the House of Delegates.

In the General Convention of 1817 his evangelical tendencies appeared at once in a resolution introduced by him stating that in the opinion of that body "the conforming to the vain amusements of the world, frequenting horse races, theatres, public balls, playing cards, or gaming" were "inconsistent with Christian sobriety, dangerous to the morals of the members of the Church, and peculiarly unbecoming the character of communicants." I remember to have read somewhere certain anecdotes of Mr. Key's residence at St. John's College. They told how he delighted the hearts of his companions by the originality and wildness of his pranks, in particular giving a picture of him riding madly around the college campus mounted upon a surprised and aggrieved cow. Surely this was a "vain amusement of the world." I submit that here was an instance where the boy was not the father to the man, although the dignity of manner and the gravity of thought and speech which characterized his manhood seem to have settled upon him early in life. His resolution calling for greater strictness in conduct was declared unnecessary by the House of Deputies in view of the already existing provisions "for the purposes of Christian discipline."

In succeeding General Conventions, Mr. Key's part was a prominent one. He was appointed to membership on the first Board of Trustees of the General Theological Seminary in 1820, and he was one of the organizers of the Domestic and Foreign Missionary Society in the same year. Prominently connected at home with the American Colonization Society, he sought without success to have the Episcopal Church officially represented in its councils, but his resolution for this good cause was rejected by the

Bishops because of its political aspect. Perhaps the heads of a church which was even then suffering from its earlier connection with the secular power were wise in their sweeping avoidance of anything that was shadowed, however slightly, by the arm of the State.

Mr. Key was a delegate to every General Convention from 1814 to 1826 inclusive, attending all except that of 1814. He was a trustee of the General Theological Seminary from its formation in 1820 until his death in 1843; he was placed on important committees in each Convention, and in the discussion of matters of moment, the journals show that he had always the ear of the delegates. It may be said without fear of contradiction that in standing up "in defence of evangelical truth" in the councils of the Episcopal Church, he rendered a service of note to the cause of religion in this country; and the last person to withold from him the credit of this would be the "high churchman" of to-day, who is in many essentials a stranger to him of a century ago.

Valuable as were Mr. Key's services to the church at large in the General Convention, it was in the affairs of the Maryland church that his influence was more directly perceptible. He was nine times a delegate to the Maryland Convention between the years 1813 and 1840, representing at different periods St. John's and Christ Church, Georgetown, D. C., and Trinity Church, Washington. Whenever he was present at a convention, his intense interest in the affairs of the Diocese combined with his very real ability in debate and his industry in the work of committees made him an important factor in the proceedings of that body. His personal popularity and his general eminence in his later years added to his influence in the Diocese, an influence which he exerted at all times in the cause of moderation and peace.

At the time of the election of the Rev. William Murray Stone to the episcopate of Maryland, the parties were almost literally at each other's throats. Their leaders, the Rev. William Edward Wyatt, rector of St. Paul's Parish, representing the high church faction, and the most prominent of the evangelical clergy, the Rev. John Johns, rector of Christ Church, Baltimore, mutually

agreed and declared to the convention their wish to be no longer considered as candidates for the vacant episcopal office. Their Christian spirit of peace and good will met with no response from their followers, who raged as before, and it was not until Mr. Key set himself to the work of reconciliation, moving the appointment of a committee for the purpose of suggesting a suitable candidate for the vacancy that the opponents could be brought to a compromise in the person of the Rev. William Murray Stone. His election was declared unanimous, and to Mr. Key was conceded the credit for the peaceful ending of a very distressing conflict of more than two years' duration. A letter of his on the coming election written just before the convention to Mr. Robert Goldsborough of Talbot County, is so eloquent of the sanity of his views and the tolerance of his spirit that the insertion of a part of it here will have some meaning. Mr. Key has a course which he is anxious that the Convention should adopt, and he thus describes it:—

Geo Town
16 May–30.

My dear Sir—

Our convention in Maryland is approaching, & I thought it likely you would be there. I have not attended on any occasion since the distracted state of things occurred in consequence of Bishop Kemp's death, but I have agreed to go now.—I feel anxious to have a course adopted which I think is the only one that can properly put an end to the troubled & divided state of our Church. And I have thought you would approve of it—I will therefore suggest it, and if you concur in it I think we can get enough to join in it & carry it.—

It is this—to lay aside both Johns and Wyatt & take a new man from another Diocese. In selecting him, let both sides give up something, & meet in a spirit of conciliation & take someone not obnoxious to either side as a violent party man. I am a low Churchman—I never could believe (though I tried hard) in the "jus divinum," or draw any of the conclusions that are usually deduced from such a position by those who hold it. I know that the Church of England has not been unanimous upon the point, & that some of her highest and best men have at all times taken lower ground to place our Church on. I think such opinions in

a Clergyman hinder his usefulness: but I do not imagine that they need, or generally do affect his piety—I am willing therefore to take as high a Churchman as can be found.—If we give up in this respect, might we not ask to have a man who had charity & forbearance towards low Churchmen, one who has not by his concern in such controversies, received prejudices against those who differ with him. Further there is a difference among us (I try to think it a slight one when I can, but in respect to some I cannot) in the great fundamental doctrine of the corruption of man. May we not ask to have a high Churchman who is clear & explicit upon that point?—I know there are such.—Though I cannot think all are so.—Further we object to fashionable amusements & think a stronger stand should be made against Christians conforming to the world in this respect, than some high Churchmen think prudent. May we not ask for a man who should not be objectionable to us in this respect?

Now I am decidedly for a compromise, getting as much as we can in respect to these things, & willing to give up much, very much, to heal the wounds that are kept open by this unnecessary contest.—I really believe that a Com^ee^ of conference, chosen from both sides at the opening of the Convention, could agree upon such a man.

And this would surely be better than either side's prevailing by a vote or two, & bringing in a man who would not have the confidence of more than half the Church, & sacrificing, in doing this, that part of our constitution which wisely requires two-thirds to elect a Bishop, a feature in our constitution which has been everywhere approved, & which Bishop White has publicly commended.

I will thank you to let me know what you think of this project & if you approve of it, come and join me in it & we will do, I think, a good work.—

truly yrs

F. S. Key.

It is worthy of remark in considering Mr. Key as a peacemaker that he was present at both the conventions where the fever of partisanship was at its height, that is, in the episcopal elections of 1830 and 1839, and further that on both occasions he performed stout service in preserving good feeling and in leading the delegates to a wise choice. Although the election of Bishop Whittingham in 1839 is not as directly traceable to him as is that of his predecessors, yet it was through Key's influence in this

instance that the spirit of party was kept in the background, and the way made clear for the selection of several good men, the choice falling finally on the Rev. William Rollinson Whittingham.

Except in so far as an informal exercise of good will towards it might go, Mr. Key could, of course, take no part in the affairs of the Diocese of Virginia. He was however a lifelong friend of Bishop Meade and an intimate of the celebrated John Randolph of Roanoke, the latter in his will naming the Bishop and Mr. Key as trustees of a fund devoted to the temporal prosperity of his manumitted slaves. Telling of this in his "Old Churches, Ministers and Families of Virginia," Bishop Meade speaks of his co-trustee as "my most valued friend, Mr. Francis S. Key." His name appears among those of the founders of the Virginia Theological Seminary at Alexandria, he believing warmly in the desirability of diocesan schools for ministerial education as well as in the necessity of a general institution for that purpose.

Key was clearly not of the sort of prominent layman whose services end with representing his parish in convention and attending vestry meetings; the spiritual side, with what is oftentimes its mental and physical drudgery, was a very real thing with him. When the rector of St. John's, the Rev. Walter Dulany Addison, became broken in health, Mr. Key was given a lay reader's license to assist him in the work of the parish. For many years acting in this capacity, he held up the hands of the well loved rector, esteeming the humbler work of reading the services and visiting the sick as much his duty as it was his privilege to represent the Diocese in the General Convention.

On one occasion his zeal in the work of the parish, in the opinion of Bishop Kemp, carried him further than he should have gone. The Bishop held that the administration of the baptismal rite was not a function that could be performed by a layman under any circumstances; Mr. Key, although open to conviction, was of a contrary opinion. His reply to Bishop Kemp's reproof for his action tells the story and gives clearly his point of view in the controversy. It is a very long letter, and I give only a portion of it.

Geo Town—
Oct. 17, 1818.

Rt Revd Sir

I have received your letter & fully admit your right to admonish me: and I prefer very much your writiug to me of my faults & failings, even iu the style you have doue, to your speaking of them to others as I am informed you have thought it uecessary on other occasions to do.—Notwithstanding however all that has passed, & though you have thought it right to pronounce upou me without even askiug for any explanation of the circumstances or any reason for my conduct, I will simply state what I have done, my readiness to acknowledge it wroug, if I can be made sensible of it, & if I caunot, to submit to whatever may be the consequences of my following the dictates of my own conscience in oppositiou to your opinious.—Late at night as I was about retiring to bed, having just locked my door, I was called for by three persous who saw the light in my passage.—One of them I recognized to be a pious woman of Mr. Addison's cougregation: She was attended by her husband and a female friend & had iu her arms an infant, which she told me was dying & that she had brought it from her house (a little distance from the Town) intending to carry it to Mr. Addison to be baptized, but she declared that she believed it would die before she could get there. The night was dark & rainy & Mr. Addison's house at some distance & he was most probably at that hour in bed. She entreated me to baptize it, I told her that I thought she had better take it to Mr. Ruth, (whose residence was somewhat nearer than that of Mr. Addison or any other Clergyman), but she & the woman with her continued to express their conviction that the child would most probably expire before they could get there. Under these circumstances, I thought it proper to do, what I should never think of doing except in a case of the like necessity, & according to the forms of the Church baptized the infant.—After the baptism, my wife examined the child, & having some medicine in the house which she thought would silence it, with the consent of its parents administered it, it recovered & is now fortunately well enough to have any mistake I have made corrected.—This Sir, is what I have done & I thought it right. You think it so clearly wrong that a moment's reflection "ought to have arrested my progress." I have reflected upon it since, deliberately, & am still without any other reason for supposing it may be wrong than your telling me so. I hope Sir you will excuse me for saying that this (tho' certainly worthy of serious

consideration) is not snfficient for me. I cannot acknowledge error where I do not see it, & I trust yon hold me so entitled to an opinion of my own as not to be bound to renounce it & confess myself wrong merely because any person though entitled to the greatest respect thinks differently.

I am willing to receive your admonitions in relation to this particnlar act or any other part of my conduct (& it plain to see that you deem me culpable in other respects) with the most respectfnl attention. I will divest myself, as far as possible, of all prejudice in favor of my own views and opinions, and consider with the greatest seriousness whatever you may say to convince me of my error. If convinced, I will acknowledge it & correct my condnct. But if, after trying to decide fairly and impartially, I remain unconvinced, yon cannot expect or desire that I shonld pretend to acknowledge myself sensible of a fault when I am not. In the case you particularly mention I am not aware of any rule of our Church that I have transgressed. I know that what I have done has been done by others of the highest respectability in our Church & I have never heard of their being censured or admonished about it: nor have I ever seen the expression of an opinion on this snbject by our Chnrch. Yet if you can point me to any such rule or opinion I will candidly own my mistake. I further add that I am willing to submit my conduct in this & in every other respect to any trial that our Church authorizes.

If I know any thing of myself it is my desire to go on quietly in my own course of Christian dnty without interfering with others who differ with me, & to bear with meekness their interferences with me.—I know that I owe obedience to the rnles of the Church to which I belong. What a layman may do withont violating those rnles, both as it regards the temporal and spiritual concerns of the Church I endeavor to do, & no more do I wish to do.

I am at a loss to know how a man's vanity or any other selfish disposition can be gratified by baptizing a child. I am sure that is an anthority that I do not wish to exercise.—

Yon seem to admit that a layman may do something more than merely set a good example, but that in going further he mnst "proceed cautiously." I have, I confess, endeavored to go further (though in that and in everything with many and great imperfections) but in doing so I have endeavored to proceed cantiously & have done nothing that I can perceive our Church has anywhere forbidden to a layman of her commnnion. But I am, I hope, open to conviction upon these subjects & willing to

hear and consider whatever you may think proper to suggest to me about them. I know I am miserably far from being what I ought to be & what I wish to be, & what I hope to be; & I trust I may be spared & enabled to overcome and correct many wrong things both in understanding & practice, which I earnestly desire may be the case both as to myself & the whole Church.—

I think from your letter that you suppose I may have been flattered and encouraged in pursuing a wrong course by some of the Clergy.—In justice to them I state that in this instance & in all others I have acted from my own convictions of duty, & that I have never heard from any of them any opinion upon the subject of Baptism by a Layman, except that when conversing with some of them who held that the ordinances of other Sects of Christians were invalid, upon my asking why our Church received their members into her communion without rebaptizing them, I have been answered that our Church admitted the validity of lay-baptism. It is true that in my general course of conduct as a layman I have had the satisfaction (as far as I ever knew their opinions) of being approved by the Clergymen with whom I was connected or acquainted.

I will further add this: that child (as I before observed) still lives, & may be baptized over again if you think it necessary, & upon being informed that such is your opinion I will recommend it to the parents to have it done.

Whatever the differences of opinion between us may be, & whatever they may lead to, I hope it will be my constant endeavor & prayer to be enabled to conduct myself towards you with respect, & to feel for you every sentiment of goodwill.—

I am
Yrs
F. S. Key.

It must and will not be supposed from this that Mr. Key held lightly the sacrament of Baptism. The contrary was true. In the General Convention on one occasion, he and Bishop Meade, then the Rev. William Meade, introduced a measure into the House of Deputies providing for a more stringent interpretation of the Prayer Book rubric as to baptism being performed in public, and advocating a more careful selection of sponsors. "We were surprised," writes Bishop Meade, "to find ourselves opposed by those who held the highest views of the efficiency of baptism."

A substitute motion was adopted, which, however, failed signally of expressing the intention of the original resolution.

There remains another aspect in which we must view Mr. Key's services to the religious life of his own and of a later day, and that is as the author of sacred verse of no mean pretensions to excellence. His great psalm of victory, the *Star Spangled Banner*, needs no praise, and although there have not been lacking critics to assure us of its poetic imperfection, one cannot but be impressed with the fact that as time passes protests against its use as the national song are becoming fewer, and that the splendid exalted words are singing themselves into a definite place in the hearts of the people, learned and unlearned.

Mr. Key's poetical talent was distinctly of the minor order. Strict truth compels us to say that the bulk of his verse is simply the production of the 'elegant amateur.' He himself gave it no consideration except as a means of passing pleasantly an occasional idle hour. Except in the case of the *Star Spangled Banner* he had none of those flashes of inspiration whereby the poet sees into the heart of things, nor was his versification that of a great original singer, but even so, he produced some extremely delicate and pleasing verse of the affections, and the six examples of sacred poetry from his pen which are included in Cleveland's *Gems from Sacred American Poetry* give him a high ranking among the writers whose work makes up that collection.

His hymns and paraphrases of the Psalms lack that all important something which differentiates the poet from the mere writer of verse, otherwise there is present in them the same self-abasement before the God of All, and the same fervor and devotion at the feet of the Master, which through the centuries has charmed all readers in the verse of the priestly singers of England—George Herbert, Keble and the Wesleys, to name only a few of them. We have to-day religious verse in plenty; the magazines are full of it. But generally it is a pale and ineffectual Deity which we meet in their pages; it is not the God Who brought Key to his knees with these words:—

"My God! my Father! may I dare—
I, all debased, with sin defiled—
These awful, soothing names to join;
Am I Thy creature and Thy child?"

At one time Mr. Key's "Hymn," the best known of his sacred songs, had great vogue among all Protestant bodies in this country; but hymns as well as other things being affected by fashions, it is less well known to church-goers of this generation than to their fathers to whom it was dear. In the present collection in use by the Episcopal Church, the number of the "Hymn" is 443, and even when it is used scarcely a person may be found who knows of its authorship. I give the first stanzas here:

Lord, with glowing heart I'd praise Thee,
For the bliss Thy love bestows;
For the pardoning grace that saves me,
And the peace that from it flows:
Help, O Lord, my weak endeavor,
This dull soul to rapture raise:
Thou must light the flame, or never
Can my love be warm'd to praise.

Praise, my soul, the God that sought thee,
Wretched wanderer, far astray,
Found thee lost, and kindly brought thee
From the paths of death away:
Praise, with love's devoutest feeling,
Him who saw thy guilt-born fear,
And the light of hope revealing,
Bade the blood-stain'd cross appear.

Lord, this bosom's ardent feeling
Vainly would my lips express:
Low before Thy footstool kneeling,
Deign Thy suppliant's prayer to bless:
Let Thy grace, my soul's chief pleasure,
Love's pure flame within me raise;
And since words can never measure,
Let my love show forth Thy praise.

The Thanksgiving Hymn, called in the published edition of Mr. Key's verses, "*A Hymn for the Fourth of July*" is a fine example of that nice commingling of thanksgiving and praise

with a subdued patriotic ardor which such an occasion would seem to call for. As one generation has followed another, memories of our national beginnings have become dim, so that to-day we seem finally to have disassociated from the fact of our political liberty the thought of gratitude to God for His part in our deliverance. That this was not the attitude of our fathers, I call to witness the writings of those Americans who flourished during and within a generation after the Revolutionary War. To them the struggle was quite simply a war between right and wrong, and directing in the fight the ragged Americans was Jehovah the God of Battles. Something of the same point of view was apparent throughout the nation during the second war with England, and it was still existent when Key wrote his "*Hymn for the Fourth of July.*"

Francis Scott Key died in the year 1843. In his religious activities we see the last of him in the Diocesan Convention of 1840 in which there presided for the first time the eminent and learned William Rollinson Whittingham, fourth bishop of Maryland. It cannot be denied that we are accustomed to regard Mr. Key's name with a more or less hazy reverence; we think of him as the almost inspired author of the national song, but of the other aspects of his life we are generally ignorant. A nearer view of him engaged in one of the many interests of his useful life, while revealing him more closely, does not in the least alter the reverence with which we have been accustomed to think of him. When a monument shall be erected to him in this city, it seems not unreasonable to hope that upon it there may be made some reference to that side of his life and character which it has been the purpose of this paper to portray. As a Christian gentleman, patriot and man of affairs we greet him, lamenting that his like comes not often to our knowledge.

I am indebted for much assistance in the preparation of this sketch to Mr. Edward Higgins of this city, the publication of whose *Life of Francis Scott Key* is anxiously awaited by many with the expectation of its being an interesting biography and a valuable contribution to the history of the period of which it treats.

LORD BALTIMORE'S CASE.

[Of this extremely rare pamphlet but two printed copies, so far as the editor can learn, exist in the United States. The commission to Davenant, appended to the pamphlet, was printed in this *Magazine*, I, 216.]

THE
LORD BALTEMORES
CASE,
Concerning the Province of Maryland, adjoyning to Virginia in America, &c.

In 1632 the Lord Baltemore had a Patent granted to him and his heirs, of the said Province of Maryland, with divers priviledges and jurisdictions for the Government thereof, the better to incourage him to settle a Colony of English there, whereby to prevent the Dutch and Swedes from incroaching any nearer to Virginia, Maryland being between Virginia, and the Dutch and Swedes Plantation on that Continent, and New England beyond them, to the Northward.

The Lord Baltemore hereupon in 1633 sent two of his own brothers with above 200 people to begin and seat a Plantation there; wherein, and in the prosecution of the said Plantation, ever since, hee and his friends have disbursed above 40000 l. whereof 20000 l. at least, was out of his own purse, and his said two brothers died there in the prosecution thereof.

In Septem. 1651 when the Councell of State sent Commissioners from hence, to wit, Captaine Dennis, Captain Steg, and Captain Curtes, to reduce Virginia to the obedience of the Parliament, Maryland was at first inserted in their Instructions to be reduced as wel as Virginia, but the Councel being afterwards satisfied that that Plantation was never in opposition to the Parliament, that Captain Stone, the Lord Baltemore's Deputy there, was generally knowne to have been always zealously affected to

the Parliament, and that divers of the Parliaments friends were, by the Lord Baltemore's speciall direction, received into Maryland, and well treated there, when they were fain to leave Virginia for their good affection to the Parliament; then the Councell thought it not fit at all to disturb that Plantation, and therefore caused Maryland to be struck out of the said Instructions, which was twice done, it being by some mistake or other put in a second time.

In this expedition to Virginia, Captain Dennis and Captain Stegg, the two chiefe Commissioners, were cast away, outward bound in the Admirall of that Fleet, which was sent from hence upon that service, and with them the Originall Commission for that service was lost.

But Cap. Curtes having a copy of the said Commission and Instructions with him in another ship, arrived safe in Virginia, and there being also nominated in the said Commission two other persons resident in Virginia, to wit, Cap. Bennet, and Cap. Cleyborn (known and declared enemies of the L. Baltemore's) they, together with Cap. Curtes, proceeded to the reducement of Virginia, which was affected accordingly upon Articles, among which one was; That the Virginians should injoy the antient bounds and limits of Virginia, and that they should seek a Charter from the Parliament to that purpose.

In the reducement of Virginia, Captain Stone (the L. Baltemore's Deputy of Maryland) sent to the Commissioners at the first arrival of the Fleet in Virginia, to offer them all the assistance he could, and did actually assist them therein, with provision of victuall and other necessaries, as will be testified (if need be by M^{r} Edward Gibbons, Major Generall of New England, and divers others who were then there, and eye witnesses of it, and are now here.

Notwithstanding which, the said Commissioners, after Virginia was reduced, went to Maryland, and upon pretence of a certain clause (which it seems was by some meanes or other, put into their Instructions, after Maryland was struck out as aforesaid) to wit, that they should reduce all the Plantations in the Bay of Cheseapeack to the obedience of the Parliament, and some part of

Maryland, where the L. Baltemore's chief Colony there is seated, being within that Bay, as well as most of the Plantations of Virginia are; they required Captaine Stone, and the rest of the Lord Baltemore's Officers there, first to take the Ingagement, which they all readily subscribed, and declared, that they did in all humility submit themselves to the Government of the Commonwealth of England in Chief under God; then the Commissioners required them to issue out Writs and Processe out of the L. Baltemore's Courts there in the name of the Keepers of the Liberty of England, and not in the name of the Lord Proprietary, as they were wont to doe, wherein they desired to be excused; becanse they did not conceive the Parliament intended to devest the Lord Baltemore of his right there, and that they understood out of England that the Councell of State intended not that any alteration should be made in Maryland. That the Kings name was never used heretofore in the sayd Writs, but that they had alwayes been in the name of the Lord Proprietary, according to the Priviledges of his Patent, ever since the beginning of that Plantation; that the late Act in England for changing of the forms of Writts declared only, that in such Writs and Process wherin the Kings name was formerly used, the Keepers of the Liberty of England, should for the future be put instead thereof: that the continuing of the Writs in the Lord Proprietaries name, was essentiall to his Interest there, and that therefore they could not without breach of trust, concur to any such alteration; whereupon the Commissioners demanded of Captain Stone the Lord Baltemore's Commission to him, which he delivered, and then without any other canse at all, they removed the sayd Captain Stone, and the Lord Baltemore's other Officers out of their Imployment there nnder him, and appointed others to manage the government of that Plantation, till the pleasure of the Councell of State and Parliament should be further known therin; seized upon all the Records of the Place, and sent divers of them hither into England, all which they did without any opposition at all from Cap. Stone, or any other of the Lord Baltemore's Officers, in regard of their respect and reverence to the Commissioners of the Parliament.

The Colony of Virginia, not long after, sent one Colonell Mathews hither into England to get their Articles confirmed by the Parliament, which were read in the House on the 31 August 1652. Upon the reading whereof a Petition of the Lord Baltimores, and of about twenty more considerable Protestant Adventurers and Planters to and in Maryland, who are known by divers Members of the House to have been well affected alwayes to the Parliament, who signed the said Petition, was also read; when it was humbly desired that before the House pass that Article concerning the old limits of Virginia the said Petitioners might be heard by their Councell, in regard Maryland was long since esteemed part of Virginia, and therefore they were concerned in that Article; and they further humbly desired the sayd Petition, that the Lord Baltemore's Officers might be restored to their places in Maryland under him, and that the Petitioners might quietly enjoy the Priviledges of the sayd Patent of Maryland, upon confidence whereof, they had Adventured so much of their fortunes thither as aforesayd.

Whereupon divers Parchments under the Lord Baltemore's hand and seale, which were sent out of Maryland, by the sayd Capt. Bennet, and Capt. Cleyborn, were at that time produced to the House by a Member thereof, who it seems conceived that there would appear something in them, wherby the Lord Baltemore had forfeited his said Patent, or at least that his Authority in Maryland was not fit to be allowed of by the Parliament.

The House on the 31 August 1652 referred the sayd Article concerning the old Limits of Virginia, to the Committee of the Navy to consider what Patent was fit to be granted to the Inhabitants of Virginia, and to hear all Parties, and consider of their particular Claims, and report the same, with their Opinions to the Parliament and the sayd Parchments delivered in concerning Maryland, were also referred to the same Committee.

The Lord Baltemore accordingly made his Claim before the said Committee, unto whom he delivered a true Copy of his said Patent, and desired therefore that the Patent which the Virginians were Suitors for, might not extend to any part of Maryland, it being made appear to the said Committee, that that Province had

not been for these 20 years last past accounted any part of Virginia, and that the Virginians had neither possession of any part thereof, at the time of the making of the said Articles, nor for 20 years before, nor that the present Inhabitants of Virginia had ever at all any right unto it.

Then, upon the suggestion of a Member of that Committee, certain Exceptions against the Lord Baltimores Patent, and his Proceedings thereupon in Maryland, were shortly after presented in writing to the said Committee, unto which the Lord Baltemore put in his Answer also in writing, which was read, and the Committee upon debate thereof (it seems) thought not fit to deliver any Opinion in the business, but Ordered, that the whole matter of fact should be stated by a Sub-Committee, and reported first to the said Grand Committee, and afterwards to the House.

The Exceptions aforesaid were many, but the substance of them are reduceable to these heads following, which are set down by way of Objections, with Answers to them. 1. Object. A pretended injury done to the Virginians by the said Patent, in regard Maryland was heretofore part of Virginia.

Answer. The present Inhabitants of Virginia had never any right to Maryland, no more then to New-England, which was part of that Country heretofore called Virginia, as well as Maryland, but distinguished and seperated afterwards from it by a Patent as Maryland was.

There was indeed a Patent heretofore granted by King James in the 7. yeare of his reign of a great part of that northern Continent of America, which was then called Virginia, to divers Lords and Gentlemen here in England, who were by that Patent erected into a Corporation, by the name of the Virginia Company, in which tract of land granted to the said Company, that Country which is now called Maryland, was included, but that Patent was Legally evicted by a Quo Warranto in the then Kings Bench, in 21. year of the sayd King James, 8 or 9 years before the Patent of Maryland was granted to the L. Baltemore; which Company or Corporation the Inhabitants of Virginia desire not now to revive, by vertue of their Articles above mentioned, but abhor the memory of it, in regard of the great oppression and

slavery they lived in under it, when it was on foot, so as they never having had any Patent, right, or possession of the sayd Province of Maryland, there could be no injury done to them by the Lord Baltemore's sayd Patent, after the eviction of the sayd Virginia Companies Patent thereof. For it was as free in the late Kings power to grant any part of that Continent not possessed before by any Legall grant then in force from the Crown of England (which Maryland was not, at the time of the Lord Baltemore's Patent thereof) as it was for King James to grant the aforesaid Country to the said Virginia Company.

2. Object. A pretended wrong done by the Lord Baltemore to the above mentioned Capt. Cleyborn, in dispossessing him of an Island in the sayd Province, called the Isle of Kent.

2. Answer. It was a business above 14 years since, upon a full hearing of both parties, then present, decided by the then Lords Commissioners for Forraign Plantations, against the sayd Capt. Cleyborn and his Partners, M^r^ Maurice Thomson and others, and the sayd Capt. Cleyborn hath himself also by divers Letters of his to the Lord Baltemore, acknowledged the great wrong he did him therin; which Letters were proved at the Committee of the Navy, and are now remayning with that Committee: wherefore the Lord Baltemore humbly conceives, that against the sayd Capt. Cleyborns owne acknowledgement, and a Determination so long since of that business, and above 14 years quiet possession in the Lord Baltemore of the said Island, the Parliament will not think fit upon a private Controversie of meum and tuum, between him and the said Cleyborne, to impeach his Patent of the said Province, or his right to the said Island, but leave both parties to their legall remedy.

3. Object. That the said Patent constitutes an hereditary Monarchy in Maryland, which is supposed, by some, to be inconsistent with this Comon-wealth.

3. Answer. The Jurisdiction and Stile which the Lord Baltemore useth in Maryland, is no other then what is warranted by his Patent (as may appeare by his answer at the Committee of the Navy to the Exceptions above mentioned, and by perusall of the said Patent) and that is onely in the nature of a County

Palatine, subordinate, and dependent on the Supreame Authority of England; for by the Patent, the soveraign Dominion, Allegiance, the fifth part of all Gold and Silver Oare, which shall happen to be found there, and severall other Duties are reserved to the late King, his Heires, and Successors, who are now the Parliament of this Commonwealth: and although it be true, that a Monarchicall Government here which should have any power over this Commonwealth, would not be consistent with it, yet certainly any Monarchical Government in forraign parts which is subordinate to, and dependent on, this Comonwealth, may be consistent with it, as well as divers Kings under that famous Commonwealth of the Romans heretofore were, insomuch as they thought it convenient and fit to constitute divers Kings under them. All Lords of Mannars or Liberties here in England may, in some kinde, be as well accounted Monarches within their severall Mannors and Liberties as the Lord Baltemore in Maryland; for Writs issue, at this day, in their names out of their Courts within their respective Mannars and Liberties, and not in the name of the Keepers of the Libertie of England; Oathes of Fealty are taken to them by their Tenants, and they have great Royalties and Jurisdictions, some more then others, and some as great in proportion, within their said Mannars and Liberties, as the Lord Baltemore hath in Maryland, except the power of making Lawes touching life and Estate, power of pardoning, and some few others of lesser concernment, which although they may not be convenient for any one man to have in England, yet are they necessary for any (whether one man or a Company) that undertakes a Plantation, in so remote and wild a place as Maryland, to have them there; especially with such limitations as are in the Lord Baltemore's Patent; to wit, that the Laws be made with the consent of the Freemen of the said Province, or the major part of them, or their Deputies, and that they be consonant to reason, and be not repugnant or contrary, but, as neare as conveniently may bee, agreeable to the Laws of England; which limitations the Lord Baltemore hath not exceeded, as may appeare by his Answer to the Committee of the Navy to the Exceptions above mentioned; and although it be not fit that any

those other words are inserted, to wit, the late high and mighty Prince Charles, the first of that name &c., it was one of those Laws which were passed by the Assembly in Maryland, in April 1650, when the people there knew of the late Kings death; to wit, a year after the other law above mentioned, with divers others, which were enacted in April 1649, as aforesaid, though in the ingrossment of them all here, (when the Lord Baltemore gave his assent to them altogether in August, 1650) it is written before it, because they were transposed here in such order, as the Lord Baltemore thought fit, according to the nature, and more or lesse importance of them, placing the Act concerning Religion first, &c. And as to those words, the first of that name &c. the word first, doth not necessarily imply a second, as some infer upon it, no more then when the first born of thy sonnes were commanded to be given to God, did imply a second, which was performed though there were never a second; the word first, hath relation to the time past, and not to the time to come; King James is stiled in History, James the first of that name, King, &c., though there were never a second of that name King of England, &c., and it is usually written and said, that a King died in the first year of his Raign when he lived not to enter into a second, the like whereof may be made out by many other instances; and as the L. Baltemore is confident the Assembly in Maryland had no intention by those words, Charles the first &c. to infer a second King of that name, no more had he, in his assent to that Law, any such thought or meaning; and the comportment of him and his Officers in Maryland above mentioned, towards the Parliament, and their friends, doth sufficiently confirme it.

Among other priviledges granted to the L. Baltemore, and the Inhabitants of Maryland, by his said Patent, one is, (by an expresse clause therein inserted) that the said Province should not from thence forward be, or be reputed any part of Virginia, or bee dependent or subject to their Government in any thing, (although the Government of Virginia was then immediately in the Kings hands) but was, by the said Patent, (in express words) separated from it, and so it hath been ever since, which was one of the chiefest incouragements, upon confidence whereof, the L.

Baltemore, and others, adventured so great a part of their estates thither as aforesaid; for it was the priviledges and immunities, and not the land only, granted by the said Patent, which did chiefly induce the Lord Baltemore to make so great an Adventure, without which he would not certainly, upon the conditions of a common Planter, have disbursed any thing upon a Plantation in America: Wherefore he hopes the Parliament will not think it just, or fit, to deprive him, and the Inhabitants of Maryland of so important a priviledge, (which is their inheritance, and dearly purchased by them) by putting them now under the Government of Virginia, upon colour of any Articles agreed on, when the Virginians were declared enemies of this Commonwealth, and the rather, because even in point of policy also, (as is humbly conceived) for certain Reasons of State hereunto annexed, it will be more advantageous to the honour and interest of this Commonwealth, to keep those two Governments still divided, and to preserve and protect the Lord Baltemore's rights and priviledges aforesaid in Maryland, then to destroy either of them.

Reasons of State, Concerning Maryland in America.

First. It is much better to keep that Government still divided from Virginia (as it hath beene for these twenty yeares last past), then to unite them; for, by that meanes, this Common-wealth will have the more power over both, by making one an Instrument (as occasion shall require) to keep the other in its due obedience to this Common-wealth.

2. Secondly, in case any defection should happen in either Colony (as lately was in Virginia) the other may be a place of refuge for such as shall continue faithfull to this Common-wealth, as Maryland lately was, upon that occasion, which it could not have beene, in case the Government of that place had been, at that time, united unto, or had had any dependence on Virginia.

3. Thirdly, it will cause an emulation in both, which of them shall give the better account of their proceedings to the Supreme Authority of this Common-wealth, on which they both depend,

and also which of them shall give better satisfaction to the Planters and Adventurers of both.

4. Fourthly, the Lord Baltemore having an estate, and his residence in England, this Commonwealth will have a better assurance of the dne obedience of that Plantation, and the Planters and Adventurers thither, of having right done unto them, in case the Government thereof have still a dependence on him, and he upon this Commonwealth, (as he had before on the late King) then if the Government of that place as so remote a distance, should be disposed of into other hands who had little or nothing here to be responsible for it, and whose interest and residence were wholly there.

5. Fifthly, by the continuance of his Interest in the Government thereof, this Commonwealth and the people there, are eased of the charge of a Deputy Governour; which he, at his own charges, maintains, the Inhabitants there being yet so poor, (and so like to be for many years) as they are not able to contribute any thing towards it.

6. Sixthly, if the L. Baltemore should, by this Commonwealth, be prejudiced in any of the rights or priviledges of his Patent of that Province, it would be a great discouragement to others in forraign Plantations, upon any exigency, to adhere to the interest of this Commonwealth, because it is notoriously known, that, by his expresse direction, his Officers and the people there, did adhere to the interest of this Commonwealth when all other English Plantations (except New-England) declared against the Parliament, and at that time received their friends in time of distresse, for which he was like divers times to be deprived of his Interest there, by the Colony of Virginia, and others, who had Commission from the late Kings eldest sonne for that purpose, as appears by a Commission granted by him to Sir William Davenant, the Original whereof remaines with the Councell of State, and a trne Copy thereof is herennto annexed.

LIEUT. GORRELL'S JOURNAL.

[In the Maryland Historical Society's collections is a MS. journal of Lieut. Gorrell, commandant of a post on Lake Michigan, 1761–63. In Parkman's *Conspiracy of Pontiac*, portions of this journal are cited, and the whole was published from Parkman's transcript, in the Wisconsin Historical Society's collections, Vol. I. In the same MS. is an account of another expedition, not included in Parkman's transcript, which is here reproduced.]

Lieu^{t} James Gorrells Journall from Montreal on the Expedition Commanded by Major Wilkins with some account of that Expedition &c.

August the 17th 1763, left Montreal in Company with Lieut. William Lesslie. As we was both in the Generall Retention, General Gage was so Good as to dismiss us from the Regiment & ordered Coll Haldiman who Commanded the Royall Americans there to Appoint one of the old Lieu^{ts} who was to go to the first Battalion in our Room take Charge of Captain Etheriugton's Men what was left alive from Mishamakahak Except Two that Ramained Prisoners with the Chipways and was before mention'd and my Garrison From La Bay as he thought it was proper for us to wait upon Sir Jeffery Amherst in order as we had not an Oppertunity to have our Acc^{ts} Pass'd By Major Gladwin who was to Approve of and pass all Acco^{ts} which belong'd to the posts depending on Detroit, and Therefore made no doubt but the General wou'd pass them, as it would be hard for us to wait on Half pay. He General Gage was so good as to Give me a pass Requesting The Officers who Command'd at the different posts to Forward me. The 18th We lay at Prereas, the 19th. Arriv'd at S^{t} Treis, Got a Batteau & Arrived at S^{t} Johns the 20th, set sail in one of the King's Sloops on lake Champlain with a fair wind but in a few hours the wind turn'd ahead so that we were on that Lake untill the 31st. When we arrived at Crown point we showed our orders to Coll^{o} Elliott of the 55th Regiment who Command'd there but was Refus'd any Assistance, so that

we had hard Geting A Boat; however by paying an Extraordinary price we got one. September the 1st we arriv'd at Tieonderogo, pass'd the Carrying place To Lake George, set sail and arriv'd at Sabbath day Point. We arriv'd at Fort George the 3d staid here one day and hier'd horses and set out. The 4th pass'd Fort Edward. We lay near Saratoga. Next Day arriv'd at Albany. There we Receiv'd orders to mareh Immediately to Neagra & Join Major Wilkins who had the Command of the Expedition for Detroit. The 8th we left Albany and Arriv'd the same day at Schenectady. The 9th Lay up the Mohaek River; the 10th lay in the woods about the Gorman flats; the 11th at Fort Stanwix; the 12th at the Royal Blackhold; the 13 h Cross'd the lake to Fort Bravington; the 14th at Oswego; the 16th at Oswego where was Oblig'd to wait, the wind being Contrary. In this Time Major Moncrieff Arriv'd here from General Amherst on his way for Detroit, who Join'd us. The 19th we Receiv'd the Melancholy news of Lieut Campbell & Fraser of the 80th Regment with Lieutenant Rusk of the Artillery & Captain Johnson of the Provincials with About 90 Non-Commission'd officers and private men being kill'd & scalped, Also that the Indians had destroy'd all the waggons and kill'd and Taken all Oxen and horses at the Carrying place at Niagra, upon which Major Duncan, officer Commanding at Oswego, ordered Eight Oxen with Harness to be Embarked on Board the sloop with us. We sail'd the 22d & the 24th arriv'd at Niagra and put our selves under the Command of Major Wilkins who then lay at the lower landing. As to particular or even Exact dates I will not pretend to do, as there was Severall Gentlemen of the different Corps has taken an Exeet Journal, iu Partieular Major Moncriff. I shall therefore make mention only of some of the Extraordinary Aecidents that happend. We were employ'd in Carrying Provision for the Expedition about three weeks, during whieh time lost all our Oxen. Nothwithstanding of the Wether and Road being knee deep en mud in most parts, the Majr [made] a trip once a day, Four men Carrying a Barrell whieh Commonly weigh'd 250 or 300. The Carrying place is 9 Mile the Front & Rear Taking it day, at the other Carrying arms.

The Royall Americans and 80th Regt Held out well; But the plattoons under the Command of Capt Gardiner being wore out in Service at the Havannah &c, could not make out to Carry. The Greatest Number was Either taken Sick or died; however we got a Sufficient Quantity of Provision for to Supply Detroit as well as the Expedition, had we not mett with the Most unlucky accident that Ever was Viz.

In the first place we was after Geting up the Rappids at the Entrence of the Lake Erie having all the Provisions on board and having sent Our sick men as well as the wounded which Came in the Sloop from Detroit, Down in large Scows to Fort Stousher, the Major Order'd half the 60th & 80th Regments men ashore to haul up the Sloop. Leaving their Arms in their Respective Boats the plattoons being in The Rear immediately after Calling in their Advance Guards & Sentinels in order to Embark, immediately the Indians Fired on the Canoes in the Rear which belong'd to the plattoons which Caused disorder in Whole Troops Consisting upwards of 600 Brave men which could Fight or go through any Difficultys with their Equell number of Troops. The Indians Drove off 2 Batteaus, kill'd about 13 men, wounded Severall. Among the number was Lieut James Johnson Late of Gorham's Rangers who was Mortally wounded. All the men in his Batteau Being kill'd Except his Servant. He got to Fort Shriver which is 18 Miles down; it was imposible for him to Return. The Stream was so Rapped that no number of men Can Come up but by hauling. The Lieut Johnson Died of his wounds immediately after his Arrivall at Niagra. However on the Firing all the men Got Ashore as Quick as Posible Except one man left in Each Batteau. Captain Gardiner and his men who was next to the Indians immediately landed and pursued them into the woods. The Major order'd the 60th to keep on the Bank & ordered the 80th who was in the front to take a Circle in the woods and indeavour to Surround them in the woods upon the Right of the 60th, Gardiner to Continue on the Left as it was Immagin'd a number of them wanted to destroy our Batteaus. But it being a deep swamp Round the Bank Found it impracticable. Captain Gardiner Lieut Stoughton Badly wounded, one

Soldier of the plattoon Kill'd, one wounded, one of 60th kill'd & three wounded, one of which died with His wounds. It was not Suppos'd there was Above 20 or 30 of those Villains By their Tracks. It is Cartain their was a white man amongst them who scalped One of the wounded Soldiers who Came in and Liv'd some time. He ask'd Him, the Soldier, while he was scalping him what Shire in England he Came from and said he was an Englishman. In the Afternoon we sent Captain Gardiner & Lieut Stoughton aboard of the Sloop, pursued our voyage untill almost dark where we landed at a point & Dress'd provision for Two or three days. At 10 o'Clock at night we set sail & Continued all night & next day Untill we Came to the long point. There obliged to stay for 10 days. The day we Left that got a good wind until we Came to a place Call'd fish Creek where we were obliged to lay 9 days more. The 9th day the wind favouring us the Major order'd us all off With Instructions to keep well out from the land and to Continue all night. About two hours after Darke there arose a Storm, we left our Batteaus, the most of the largest and best Batteaus Infantry. The Largest and best Batteaus which lieutenant Davidson with And all the powder Boates was left. In this Storm was Drownded Lieutenant Davidson of the Arrtellery, Lieut Painter, Late of the Independent, Doctor Williams of the 80th Regiment, with 4 Serjeants, 63 Private & one Canadian.

The Next day we Attempt'd to Gather the Wreck but found Little or none Except Lieut Davidson & about 6 men which we Buried. Next day the Major Call'd A council of officers to Consult what was best to be Done as all the Ammunition was Lost & all their Cartriches wet, not so much as a Cartrich left Dry, upon which they Conclnded it best to send the Friend Indians who Came with us to Niagra and to Detroit with a letter to Major Gladwin as they were told to acquaint the Major of our Coming. The letter was Enclos'd in an Indian's powderhorn between two bottoms made for that purpose wherein he was Acquainted with a truth of our Misfortune and as soon as the Indians were gone out of Sight we Set Sail & arriv'd at Niagra Latter End Novem.

Finis

NB Shortly after we arriv'd at Niagra Came the Captains Rogers Hopkins & Montezour with a party Major Gladwin had sent from Detroit, who inform'd us as followes: that notwithstanding our Bad success our Expedition was of Good Consequence for the Good of the Service, for the Indians who always has Spyes had been Inform'd of such a large Body of us Coming which Frightn'd them so that they begun to beg for peace with Major Gladwin who told them That they had been so bad that he Could not make Peace with them, but if They Expect'd to be forgiven to Disperse and Go to their hunting Grounds as well, he wou'd Consider of it Against their Return. M^{r} Pontiack They say'd Promised to inform of the Canadians who was Consarn'd in it. However they went to their hunting Agreeable to the Majors Request, upon which the Major sent out and Gather'd all the Corn & provision they Could Get from the Inhabitants so that with it & What the Sloop took up they were supply'd with provision for 200 Men. The Rest of the Garrison he sent to Niagra there they Remaind under the Command of the Above Mention'd Officers.

The 28th of November Major Moncreff with the plattoons Embark'd on board of the sloop. The 29th we Embark'd on board the Snow where we arrived in two Days. The Major made all the hast posible, But the severity of the weather and the River being Frozen at Albany before we Could Arrive and Carriage being Hard to Get for the sick & lame so that it was the

Jan^{r} 1764 before we arriv'd at New York which time the General order'd all the half pay officers to be paid half pay From the Commencement of the Campaign, and there was three Transports waiting for to Carry us home but as I Could not Get the Kings Accompts Contracted at La Bay settled untill Major Gladwin was obliged to stay until then.

AGREEMENT OF CLAIBORNE WITH CLOBERRY AND OTHERS FOR TRADING TO VIRGINIA.

To all to whome these presents shall come Greetinge in our Lord God, everlasting whereas John Delabarr, William Clobery, Maurice Thompson, Simon Turgis and William Claiborne have made redie and sett forth the good ship the Affrica of London for transportation of passengers into Virginia as alsoe for trade and other designes as shalbe found most beneficiall for the said voyadge In which inployment the said William Claiborne goethe chiefe commander now know ye that we the said John Delabarr, William Clobery, Maurice Thompson and Simon Turgis doe committ and referr the manadgeing and prosecution of the said voiadge unto the said William Claiborne to doe execute and performe therein all and every thing and things which are lawfullie to be done or may any wayes concerne the good of the said voyadge, wherein the said William Claiborne is to doe his best indeavour for the profitt and benefitt of the said Adventurers. And the said William Claiborne doth hereby covenant and promise to keepe and render unto the said adventurers a true and just accompt of all his proceedings, and alsoe of such commodities and goodes as shalbe had or obteyned by trade with the Indians or otherwise shall arise. In consideration whereof the said William Claiborne is to have one part of all profitt and benefitt which shalbe made by the said imployment in what kind soever or by what meanes soever the same shall accrew And the said John Delabarr, William Clobery, Maurice Thompson and Simon Turgis doe further covenant and promise to allow and accept of all such reasonable and necessary charges and expences for the generall stocke as the said William Claiborne shall finde necessary and requisite for and about the manageing of the said voyadge. Lastlie the said William Claiborne doth covenant and promise by the first returne of shipping to send such commodities furrs bills of exchange &c. as he shall anye way be able to pro-

cure for the said account unto the said Adventurers. And to the true intent and meaning of these presents the said John Delabarr, William Clobery, Maurice Thompson, Simon Turgis and William Claiborne doe bind themselves each to other theire executors administrators and assigns In witness whereof the said John Delabarr, William Clobery, Maurice Thompson, William Claiborne and Simon Turgis have hereunto sett theire handes the 24th day of May Anno domini 1631.

Wm Claiborne
Maur Thompson.

LETTER OF THE REV. JOHN CARROLL TO CHARLES CARROLL, SR.

[The Rev. (afterwards Archbishop) John Carroll accompanied Messrs. Franklin, Chase, and Charles Carroll of Carrollton on their unsuccessful mission to induce the Canadians to make common cause with the revolted colonies. The gentleman to whom it is addressed was the father of Charles Carroll of Carrollton.]

Philadelphia June 2d 1776.

Hond Dr Sr

I arrived at this place the day before yesterday in company with Dr Franklin. Cousin Charles and Mr Chace left Montreal with me on the 12th of May, that they might not be in any danger from a frigate running up the River and getting between them, & the Eastern shore of S. Laurence. As Dr Franklin determined to return to Philadelphia, on account of his health, I resolved to accompany him, seeing it was out of my power to be of any service, after the Commissioners had thought it advisable for them to leave Montreal. Your son and Mr Chace proposed staying at St. John's or in that neighbourhood, till they should know whether our army would keep post at De Chambeau: and the former desired me to give you notice of his being safe and well. Since I left him, it has not been in my power to do it before this day, as we unfortunately chanced to come to every

post town on our road sometimes a day, sometimes a few hours too late for the mail. When I left him, he expected to follow us in a few days; but M.r Hancock tells me that if an express, sent some days since from Congress, reaches them before they have left Canada, he is of opinion they will continue there for some time. I shall set out from hence next week, and propose doing myself the pleasure of calling at Elk-ridge. My aff.te and respectful compl.ts to M.rs Darnall and Carroll with love to Polly. Nothing new from Canada, nor indeed any advices at all since we left it. Great divisions here between the contending parties. I have presumed to trouble you to forward the inclosed, and remain,

Hon.d D.r S.r

Y.r aff.te kinsman & hum: Serv.t

J. Carroll.

Ten tons of powder,
500 small arms came in yesterday

Cos.rr Charles rec.d large packets of letters from you a few days before we left Montreal.

To
Charles Carroll, Sen.r, Esq.r.
to the Care of M.r W.m Lux
Baltimore.

TASKER FAMILY.

1. Capt. Thomas Tasker[1] was commissioned one of the Justices of Calvert County 30 May 1685 (*Md. Arch.*, xvii, 379), and was also in the commission from 1689 to 1692 (*Md. Arch.*, viii, 145 ; Test. Proc., xvi, 8, 28, 44). In 1689 he signed the Declaration of the inhabitants of Calvert County for not choosing Burgesses (*Md. Arch.*, viii, 110). He represented the County in the Assembly from 1692 till 1697 (*Md. Arch.*, xiii, 351 ; xix, 355) and was a member of Council from 18 March 1698/9 (*Md. Arch.*, xxv, 55) until his death. He was commissioned a Justice of the Provincial Court 17 Oct. 1694 (*Md. Arch.*, xx, 137), and was Treasurer of the Province in 1695 (*ibid.*, 274). 4 September 1689 he was commissioned Captain of Foot in the Calvert County Militia (*Md. Arch.*, xiii, 242), and is frequently designated by his military title. He attended a Council meeting 18 July 1700 (*Md. Arch.*, xxv, 101), and his will was proved 31 August following, so that he apparently died in August 1700. In the year 1736 a commission was appointed to perpetuate testimony in regard to the Tasker pedigree (Chancery, IR., No. 3, fol. 800 ff.). It was in evidence before this commission that Thomas Tasker married in 1676 a widow, Mrs. Brooke, who died about 1695, but her identity is not further established. In his will (dated 16 March 1699, proved 3 August 1700) he makes provision for his mother, Mrs. Ann Tasker.

   Capt. Thomas Tasker[1] and —— Brooke his wife, had issue :—

   i. Thomas Tasker,[2] d. unmar. in England, about 1696.
2. ii. John Tasker, d. 1711.
3. iii. Hon. Benjamin Tasker, b. 1690 ; d. 19 June 1768.
   iv. Elizabeth Tasker, b. 1686 ; d. 10 February 1706 ; married 21 April 1701, Col. Thomas Addison of Prince George's Co.

2. John Tasker[2] (Thomas[1]) of Calvert County, died in the year 1711. In his will dated 22 September 1711, and proved 17 October following (Annapolis, Lib. 13, fol. 233) he mentions his wife Eleanor, his son Thomas Tasker (under 18 years old), his aunt Elizabeth Sury, and his brother Benjamin Tasker. He married Eleanor, daughter of Col. Thomas Brooke of Brookfield, Prince George's County, and she married secondly Charles Sewall (d. 1742) of Eltonhead Manor,

St. Mary's County (*Magazine*, i, 186) Her father's will mentions "my daughter Eleanor Sewall (wife of Mr. Charles Sewall)" and her eldest son Thomas Tasker.

John Tasker and Eleanor (Brooke) his wife, had issue:—

i. THOMAS TASKER,[3] d. 1734; mar. Clare, dau. of Major Nicholas Sewall, and had an only child John,[4] who died young, about 1736 (Chancery, IR., No. 3, 800 ff.). Mrs. Clare Tasker mar. 2°. Wm. Young.

3. HON. BENJAMIN TASKER[2] (Thomas[1]) was born in 1690 according to a deposition made in 1741, wherein he gives his age as 51 years (IR., No. 4, 365). He was a Justice of Anne Arundel County 1714–17, and High Sheriff of the County 1717–18 (A. A. Co., Court Record). He was a member of the Council of Maryland from 4 November 1722 until his death in 1768 (*U. H. Journals*), and 1752–53, as President of the Council, he was Acting Governor of the Province (*ibid.*). The inscription on his tombstone, in St. Ann's Church yard, Annapolis, states that he was President of the Council for thirty-two years, Agent and Receiver General of the Province, and Judge of the Prerogative Court. He was a Justice of the Provincial Court, and member of the Quorum, from 1729 to 1732 (Commission Book), and he was Mayor of Annapolis 1721, 1726, 1750, 1754 and 1756 (Riley's *Ancient City*). He died on Sunday, 19 June 1768, in the 79th year of his age, and the *Maryland Gazette* of the 23rd inst. gives a lengthy obituary. He married, 31 July 1711, Ann, daughter of Hon. William Bladen (b. 1673; d. 1718), Secretary of Maryland 1701, Attorney General 1707, and Commissary General 1714. Her brother, Col. Thomas Bladen (b. 1698; d. 1780), Governor of Maryland 1742–47 and later member of Parliament, married Barbara Janssen, daughter of Sir Theodore Janssen, Bart., and sister of Mary Janssen, wife of Charles, fifth Lord Baltimore.

Benjamin Tasker and Ann (Bladen) his wife, had issue:—

i. WILLIAM TASKER,[3] b. 3 July 1713; d. 18 March 1715.
ii. BENJAMIN TASKER, b. 29 Sept. 1717; d. 13 Nov. 1717.
iii. BLADEN TASKER, b. .....; d. 17 Jan'y 1721.
iv. COL. BENJAMIN TASKER, b. 14 Feb'y 1720; member of Council 1744–60, and Secretary of Maryland; d. unmar. 17 Oct. 1760, and is buried at St. Ann's, Annapolis.
v. BLADEN TASKER, b. 28 June 1722; d. 22 Aug. 1723.
vi. ANN TASKER, b. 7 Oct. 1728; mar. Gov. Samuel Ogle.
vii. REBECCA TASKER, b. 4 Nov. 1724; mar. 16 Sept. 1749, Hon. Daniel Dulany.
viii. ELIZABETH TASKER. b. 4 Feb'y 1726; d. 19 Sept. 1789; mar. 14 May 1747, Christopher Lowndes.
ix. BLADEN TASKER, b. 4 Feb'y 1730; d. young.
x. FRANCES TASKER, mar. 2 April 1754, Robert Carter of Nominy, Westmoreland Co., Va.

MARYLAND GLEANINGS IN ENGLAND.

Communicated by Mr. Lothrop Withington, 30 Little Russell Street, W. C., London. Including unpublished notes of Mr. Henry F. Waters.

Ralph Harwood of London, merchant. Will 1 June 1684; provd 8 July 1684. To my wife Martha £500 to be disposed of among my children at her discretion within twelve years after my decease. To my son Ralph Harwood when he shall be 21, £500. As my property consists for the most parts in ships or adventures at or beyond the Seas, my executors to sell the same when opportuuity arises and invest the proceeds in mortgage on lands or in other securities. The said profits to be divided into four parts, one for my wife, the others among my three children. Executors: my two friends, Mr. John Browne and Mr. Thomas Sands. Witnesses: James Dryden, Ralph Cooper, John Harwood, Robert Davies. Codicil 9 June 1684. John Harwood, William Acres, Rachell Babington, Ralph Cooper. To my Brother Mr. Thomas Harwood and his wife Mary Harwood £10 apiece, and a further bequest of plate and jewels above the fourth share to my wife Martha. Hare, 90.

Thomas Harwood of Streatley, County Berks, Esq. Will 22 April 1704; proved 14 March 1712/13. To my son Richard Harwood £100. To my grandchildren Mary, Thomas, and Anne Burley £50 apiece when 21 or married, if they all die then their legacies to go to my son, Thomas Harwood. To my grandsons Thomas, John and Harwood Abery £50 apiece when 21. To my grandchildren Elizabeth, Mary, Anne Wylde and Martha Silke £30 apiece when 21 or married. To my grandchildren Thomas Harwood, Johu Harwood, and Dorothy Harwood £30 apiece when 21. To the childreu of my son Richard Harwood who shall be living at my death £90 when 21. To my daughter Elizabeth Brent, to visit my grandson Swanley Harwood at least once a year until he be twelve and ask him if he be properly cared for, and if not to ask my son Thomas to give his assistance, £50. To son Thomas my leasehold messuage in Lymehouse, Stepney, County Middlesex, to be sold and divided into seven parts, one to himself, one to son Richard Harwood, one to daugh-

ter Elizabeth Brent, one to daughter Mary Silke one to daughter Sarah Abery, one to grandson Swanley Harwood, one to grandchildren, Mary, Thomas, and Anne Burley. All the rest of my goods and parts of ships to son and executor, Thomas Harwood. To my son Richard Harwood all my plantations in Maryland in America and whereas my son John Harwood by his will dated 24 August 1700 gave unto his son the aforesaid Swanley Harwood one half of his estate, making myself and my wife Mary, since deceased, his executors and whereas his estate amounts to £2000, £1000 of which I have kept as Swanley's share, I give to my son Thomas my lands in Streatly and at Stanford Hill, Tottenham High Cross, County Middlesex, late in tenure of William Burr on condition he pays to the said Swanley £40 a year for his education and keep till he is 21, and then pays him £1000 and £400 which I now give him. Witnesses: John Hosea, Alexander Hoggon, John Booker. Leeds, 61.

Anthony Penruddock. Will 29 December 1641; proved 2 May 1642. To my wife all my personal estate and what money shall come to me from the Lord Windsor lately deceased, or from Lord Herbert, son and heir of the Earl of Worster; after her decease to my two daughters Jane and Lucy Penruddocke; also I give her all my rents in New Street in Salisbury, and at her decease to my daughters, failing them to George Penruddocke, Esq. If my cosen George Penruddocke or my cosen Edward Penruddocke, the six Clarke, like to buy them, they are to have them at a more reasonable price than other people. To my Cosen George Penruddocke my sword and belt and all my bookes in my study. To Cosen Edward Penruddocke, the sixe Clarke, a gonld ring. To my very good necce Lady Jane Fitz William, and to her husband Colonell Fitz William, a gold ring each. To my only sister Mrs. Eliza Seaborne 40s for a ring, and to each of my daughters 20s. for a ring. Executors: my wife and Cosen George Penrnddocke. Overseer: Cosen Edward Penruddocke, the six Clarke, and I desire all men to know I die a true Roman Catholic. My land in Marie Land to my daughters, and because my cosen John Penruddocke of Hale shall see I die in charity with all the world I say God bless Him. Proved by Jane the relict. Cambell, 60

Christopher Birkhead of the City of Bristoll, mariner. Will 11 November 1675; proved 25 October 1676. To my wife Joane and my son Nehemiah 500 acres called Birkheads in Ann Arundell County in Maryland; after my wife's decease he is to

have it all, and to stock and plant with fruit trees (400 apple trees capable of bearing fruit in four years) that plantation called little Bristoll in Talbot County on the northside of the great Choptanck River which is to be divided as follows, 400 acres to my son Solomon and the rest to my son Eleazar; if my son Nehemiah refuse to stock, he is to pay each of them £50. To son Solomon my plantation in Maryland called Birkheads Lot lying on the Ridge of Anu Arundell County. To my wife 1/16 part of the ship Society of Bristoll, the other 1/16 to my son Nehemiah. To my sons Solomon and Eleazer my ship the Friendshipp now at sea to be used for them till they are 19. One-third of my goods to my wife, the rest to my children. To my friends Charles Goldney and Charles Gould £10 to give to the poor. To my sister Margaret Smith, widow, £5. To her childreu £5. Executor: Son Nehemiah; if he die, my Brother and Brothers in law, Abraham Birkhead of Maryland, Johu Day, Dyer, aud Robert Day, cooper, and my friend John Host, curryer. Witnesses: William Meredith, John Day, Thomas Dawe, Edmond Waruert Richard Gray. Bence, 127.

JOHN WARDROP, Calvert County in Province of Maryland, Merchant. Will 2 September 1758; proved 1 July 1767. To Nephew Andrew Whyte, House and Furuiture in Lower Marlborough, stock of Cattle, my horse, Negroe fellow Tom, Negroe Wench Frank, with £100 sterling. To sister Jean Kelly £20 sterling yearly on first of June, and after her death till her three youngest children are of age or married, then £500 in full etc. To John and Jean Holden near Dundee £20 sterling yearly ditto. To Alexander and Andrew with their sister Jean Symmes, my Nephews and Neice, the said Alexander aud Andrew Symmes Bond dated 10 December 1756 for £500 etc. To Mrs. Ann Russell spouse to frieud Mr. James Russell for many good offices £100. To Miss Anu Russell and Miss Mary Russell £250 each when of age or married. To Mr. Charles Grahame my Attorney in Maryland my Mulatto Fellowe William Gale with half of Sloop Betsey and half of the fifteen Hh^{d} Flat with any profits on condition he lays it out for purchasing Negroe Wenches for a stock for his daughter Azenath Grahame my god-daughter. To Mr. James Dick and Mr. Charles Grahame £20 each for rings for themselves and family. Executor: Mr. James Russell of London. Witnesses: Kensey Johns, Samuel Galloway, Hancock Lee. [Testator described in probate act book as of parish of All Hallows Staining, London aud executor of Calvert County, Maryland.] Legard 288.

Walter Scott of the Province of Maryland but at present residing in London, Merchant. Will 26 February 1752; proved 14 March 1752. To Walter Scott and company of Glasgow, 2 lots of land belouging to me at Portobacco in Maryland. To James Arnwur and Johu Stewart of London, Merchants, lands granted me by Henry Wyne and Sarah Wyne, vizt: Land in Portobacco in Charles County called Simpsons Delight 300 acres. 3 parcels more one of 200 acres called Warrall, London 100 acres, Blorksith 100 acres. Land at Nanjemy in Charles County called Glovers point, 200 acres and land near Piscataway called Pithly 200 acres and 3 parcels more at the head of the Wicomico River called Burtons 90 acres, Sudmooe's Adventure 37 acres and also the benefit of an assignment from the said Henry Wyne of all moneys due from Honorable Benjamin Young Esquire of Maryland, and make them residuary Legatees and Executors of this my will. Bettesworth 78.

Barnet Bond, late of the Province of Maryland in America, but now of the Parish of Saint Ann Lime House, County Middlesex. Will 25 January 1741/2; proved 20 April 1749. My freehold lands in Maryland, one near Gun Powder River, one at the head of Bush River, and one in Nodd Forest or a certain place called the Land of Nodd to be in three parts, one to my wife Alice Bond, and the other two parts to my daughter Mary aud the child my wife is now pregnant with, or the survivors, and if they should die before 21 years of age, half to my wife and the other half to my Brothers Peter and William Bond, and my sister Anne Bond. My wife trustee for my child, if she marry again my cousin Mr. William Bond of Marylaud. Executrix: Wife Alice. Witnesses: Charles Barnard, John Lugg, Thomas Coulthred No. 2. Glass House Yard, Minories. Lisle 100.

John Lomas of Annapolis in Maryland, but now of the City of Glasgow in North Britain, gentleman. Will 22 October 1754; proved 22 November 1757. To Walter Johnson, John Mill and George Spence of London, merchants, and to their executors all my estate in Great Britain and all interest elsewhere and in the estate of my deceased Brother Henry Lomas by virtue of agreement between my sister Mary Roson and her husband Johu Roson and myself in trust to pay as follows. To my sister Mary Roson £30 per aunum for life. To said John Roson £50. To my friend James Johnson of Glasgow merchant all the interest of my estate and after his decease to his wife Margarett and after the decease

of both of them amongst the children of the said James and Margaret when 21. Residuary Legatee and Executor: said James Johnson. Witnesses: John Somervale, Robert Colquhoun, William McKinzie. Proved by John Mill attorney for James Johnson. Herring, 331.

Edward Warner, Citizen and Distiller of London, of St. Botolphs Aldgate. Will 31 August 1722; proved 20 March 1723/4. My lands or Plantations in Maryland to my wife Mary. My personal estate to be divided, one third to my wife, and one third among my sons. My daughter Mary now wife of Richard Wright having been already advanced. Rest to my wife. Codicil 3 September 1722. The other one third of my estate as follows: one half to my wife and one half to my sons Edward, Richard, and Samuel Warner. Executor: my wife. 11 October 1723 appeared William Rolfe of Parish of St. Edward the King, London, haberdasher, one of the Dissenters called Quakers and Richard Wright of St. Gabriel Fenchurch Street, London, Merchant and declare that the above is the writing of Edward Warner of St. Botolph Aldgate, distiller, deceased. Proved by son Edward, wife renouncing. Bolton 73.

Francis Rolle of Maryland. Will 17 November 1724; proved 7 December 1724. To my wife Dorothy Rolle her dowry of my estate, the residue among my four sons Robert Rolle elder, Francis Rolle second, Fhidemon Rolle third, Henry Rolle fourth. Executor: Arnaolt Hawkins of Maryland. Witnesses: John Dunkin, George Coats, William Curtis. (Signed as Francis Rolls). Bolton 282.

Phebe Finch. Will 8 September 1756; proved 18 February 1757. To my grand Daughter Phebe Finch "of in Potenxent, Maryland" £20. Residuary Legatee and sole Executrix: My daughter Elizabeth Higgonson. Witnesses: William Martin, Elinor Sedgwick. Proved by Elizabeth Higginson the executrix, widow. Herring 48.

PROCEEDINGS OF THE SOCIETY.

Monthly Meetings.

March 8, 1909.—Two noteworthy additions to the Society's collections were announced and shown on this date: a water color of the Privateer *Surprise*, capturing the British ship *Star*, January 28, 1815, and a copy of the Articles of Agreement of the Baltimore galley *Conqueror*, 1779.

Among the new volumes added to the library and reported at this meeting were: the Journal of the House of Burgesses, Va., 1752–55 and 1756–58; the Parish register of Otley Co.; the Constitution and register of membership of the Society of the War of 1812, and the proceedings in the Senate and House of Representatives on the reception and acceptance of the statues of Charles Carroll and John Hanson.

The Auditing Committee appointed at the annual meeting presented its report through Mr. Greenway, to the effect that it had carefully examined the accounts of the Treasurer and found them correct. The detailed report of the Treasurer appeared in the last issue as part of the proceedings of the annual meeting.

Letters of resignation were received and accepted from Miss Emily E. Lantz, Alonzo May and Robert H. Wright.

The following new members were elected:

Mrs. Charles W. Bassett,	2947 St. Paul St.
Thomas L. Berry,	Fidelity Building.
Thomas W. Eliason,	Chestertown.
Mrs. Reuben Foster,	2301 N. Charles St.
John Hinkley,	215 N. Charles St.
Charles C. Homer, Jr.,	Mt. Washington.
Rev. Alfred R. Hussey,	1314 Bolton St.
William B. Levy,	408 Fidelity Building.
Upshur Lloyd,	Easton, Md.
W. Hollingsworth Mackall,	Elkton, Md.
James McEvoy, Jr.,	213 Courtland St.
Charles W. Prettyman,	Rockville, Md.

Mrs. Charles Rieman,	Roger's Forge, Md.
Rev. William Schouler,	Elkton, Md.
H. A. C. Sylvester,	1506 Madison Ave.
Francis T. Tagg, D. D.,	316 N. Charles St.
William Tappan,	714 St. Paul St.
Harrison W. Vickers,	Chestertown, Md.
Francis E. Waters,	Union Trust Building.

The paper of the evening was read by Mr. DeCourcy W. Thom on "Old Wye Church."

April 12, 1909.—At the meeting held on this date the death was announced of John T. Morris, which took place on March 28.

Those elected to membership in the Society at this meeting were:

Mrs. D'Arcy Paul,	Gorsuch Ave.
Edward P. Keech, Jr.,	900 Maryland Trust Building.
E. Thomas Massey,	Massey, Kent Co., Md.
John W. Chambers, M. D.,	18 W. Franklin St.
E. G. Reist,	Sparrows Point.

Mr. Lawrence C. Wroth read a very interesting paper on "Francis Scott Key as a Layman."

May 10, 1909.—This, being the final spring meeting was, as usual devoted entirely to business of the Society, and no paper was read at this meeting. The resignation of Charles T. Crane was presented and accepted. One associate and four new active members were elected, as follows:

Associate:	Brig.-Gen. James A. Buchanan, 1767 Q St., Washington.
Active:	Mrs. Francis T. Homer, Sherwood.
	Miss Elizabeth M. Morris, 908 St. Paul St.
	Casper G. Woodall, American Office.
	Lawrence C. Wroth, 215 E. Preston St.

A type-written copy of the Reminiscences of the Rev. Jonathan Boucher was presented to the Society by Mr. Richard D. Fisher. This volume is especially interesting as presenting a picture of the prevailing social conditions in Maryland at the beginning of the Revolution from the point of view of an ardent Loyalist. Mr. Boucher writes of Washington from a personal acquaintance

with him, and the conditions under which he performed his clerical duties among a people politically hostile to him are graphically described.

Mr. Richard H. Spencer offered the following amendments to the Constitution:

(1) To amend Article III, Sec. 2, by substituting the word seven for three in the tenth line, so as to make the Committee on Membership consist of seven members, in place of three as heretofore.

(2) To amend Article III, Sec. 4, by striking out the first two paragraphs of that section as they now are, and substitute the following for them:

> 4. It shall be the duty of the Trustees of the Athenæum and of the several Committees to meet at the rooms of the Society at three o'clock on the first Saturday following the annual meeting and then, or at an adjourned meeting, the said trustees and each of said Committees shall select one of its members as its chairman, who shall thereby become a member of the Council; and notice of such election shall be promptly given to the Recording Secretary.

This amendment, if adopted, to take effect on and after the next annual meeting.

(3) Also that Section 7 of Article V of the Constitution be repealed and readopted so as to read:

> 7. Any active or associate member in arrears for dues for six months shall be reported by the Treasurer to the Recording Secretary, whose duty it shall be formally to notify the member so in arrears and at the same time to send to such member a copy of this section of the Constitution. If after such notice the dues shall remain unpaid at the end of the fiscal year, the Treasurer shall report the fact to the Council, and unless the Council otherwise directs the Recording Secretary shall strike the name of the delinquent from the rolls of the Society and notify the Treasurer thereof.
>
> Any person whose name shall have thus been stricken from the roll, may thereafter be reinstated upon such terms and conditions as the Council may from time to time prescribe.

These several proposed amendments were laid over under the rule, until the next meeting of the Society.

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MARYLAND

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EARLY CAREER OF GOVERNOR FRANCIS NICHOLSON.

CHARLES WILLIAM SOMMERVILLE.

(*Concluded.*)

The colony of New York then had about 40,000 inhabitants. It differed in politics and in religion from its rival, Massachusetts, so that the loss of its provincial individuality by consolidation with Massachusetts under Andros, who broke its seal and substituted for it that of New England and took the records to Boston, was called by the Dutch an "abhorred and unmerited degradation." Yet some rejoiced at the change; and when Nicholson's letter informed Andros that the King's Italian wife had borne him a son, and revived the prospect of a Romanist successor, the royalists celebrated the "happy news" with extravagant joy and the "utmost tokens of wanton gladness," by bonfires in the streets of New York and a banquet in the City Hall, where the Dutch Mayor Van Cortlandt became so hilarious that he made to his loyalty a burnt offering of his hat and periwig, which had accidentally caught fire from a candle, waving the blazing victims over the banquet table on the point of his sword.

The Protestants of New York seem also to have rejoiced at the promised deliverance under the Anglican Andros from the former "Papist Governor" Dongan, who had worshipped on Sundays with a few Romanists in a small chamber in Fort James; and at

the prospect of having Lieutenant-Governor Nicholson as "deputy in the fort" who would, they hoped, defend and establish the true religion.

A short while after his arrival in New York, Nicholson had set about an examination of the city's fortifications, whose bad condition he set forth in a report of nineteen pages to the royal government. Fort James he found was "extraordinarily out of repair," but he soon had men at work putting it into good condition. The inhabitants supposed that under the new Protestant deputy "all images erected by Col. Thomas Dongan in the fort should be broken down and taken away." They were disappointed, however, and instead of this, Nicholson gave them great offence by "ordering the workmen to help the Romanist priest, John Smith, to remove the images indeed, but to a better room in the fort, and ordered to make all things for said Priest, according to his will, and perfectly, and to erect all things, as he ordered." In thus indulging the papists, Nicholson alienated the Protestants, who were the real makers of sentiment in New York; and the beginning of his unpopularity there, perhaps, dates from this time. Leisler contemptuously refers in a letter to the Bishop of Salisbury to "the inhumane and pernicious practices of Sir Edmund Andros, who substituted an instrument like himself, one Francis Nicholson, Lt. Governor in his absence."

Meanwhile matters in England were moving to a crisis. The recklessness of King James in his efforts to establish the Roman Catholic as the state religion had aroused the whole people of England to a sense of the danger impending over their liberties. When the little Prince of Wales, who would supplant his Protestant half-sisters, Mary and Anne, was only ten days old, a secret invitation from the Parliament had been sent to the Prince of Orange to come over to England. By and by rumors reached James of the Prince's preparations to come. At length convinced of his danger by the friendly admonitions of Louis XIV., James warned his subjects to be ready to defend their country, endeavored to conciliate them, made great military and naval preparations, and on the 16th of October, the very day on which the Prince of Orange took leave of the States of Holland at the

Hague, James wrote a circular letter to Andros and the other governors warning them "that a great and sudden invasion from Holland" was impending, and directs them "to take care that upon the approach of any fleet or foreign force, the militia of that our Plantation be in such readiness as to hinder any landing or invasion that may be intended within the same." While this letter was in transit the Prince landed at Torbay the 5th of November, his banner bearing the motto, "I will maintain the Protestant Religion and the Liberties of England." About midnight, December 11, James II., disguised, threw the great seal into the Thames, and followed his queen down the stream to France. The Stuart dynasty in England and America was ended.

The ship which carried the royal letter of October 16th giving information of the apprehended invasion did not reach Boston until the next January; but rumors had spread that James had fled to France and died; and that the Prince and Princess of Orange had been proclaimed sovereigns of England. But on the receipt of the letter Andros issued orders, the 10th of January, "requiring all persons to be vigilant upon the approach of any fleet or foreign force," and Nicholson accordingly ordered every county in New York to keep the militia trained and equipped, he personally caring for that at New York. While Nicholson was thus engaged in putting New York into an attitude of resistance to any foe of the King, William of Orange had already, on the 30th of December, assumed control of the British Government, and next day published a declaration that all civil officers "not being Papists" were to continue in their places. It marks the importance of the Colonies to find that before William was on the throne he had given attention to them. Difficulties were gathering fast about Captain Nicholson. There were rumors of great changes in England, but there was a lack of certain information and a total absence of any official instructions. The great Revolution of 1688 was an accomplished fact long before it was heard of in America. When reports did get abroad they reached Virginia first, thence they spread to Maryland and other Colonies. There were rumors among the people and more or less

believed by them long before authentic information reached the officials.

New York first learned of the event through Captain Andries Greverait who had been in Virginia. He came to New York in his ship early in February, 1689, and, calling on Lieutenant-Governor Nicholson at Fort James, told him that the news in Virginia was that the Prince of Orange was landed with an army at Torbay in England. Nicholson in a great passion replied: "Damme, what do you say?" When Greverait repeated the story and said the Prince was at Salisbury Plain, Nicholson hotly replied that "there was burying-place enough for him and his people with him . . . hath he not had an example in Monmouth? I cannot believe it; if it is so, the very prentice boys of London will drive him out again." He then forbade Captain Greverait to divulge the news to any one. But it was impossible to suppress such news.

About six or seven days later the rumor was put into more general circulation by Jacob Leisler, who had returned from a business trip to Maryland where he had heard the report. Nicholson, suspecting, perhaps, that Greverait had divulged the matter summoned him to his quarters and angered at his refusal to put his story into writing, "swore bitterly, threatening to run him through, being much altered in his countenance, snatching up a book (not knowing what it was) swore he would cut off the Captain's ears if he divulged the news." Captain Nicholson needed most of all at this juncture to communicate with Andros, and with him determine upon what course to pursue. There could be no valid doubt that the reports were true, for they were confirmed by many private letters opened by Nicholson's council, and Governor John Blackwell sent a letter by two messengers from Philadelphia to say that he had examined a sailor, Zachariah Whitepaine, who had left London about December 10, and that there was no mistake about the reports. But they were not official. Perhaps convinced of their truth himself, Nicholson nevertheless endeavored to suppress the rumors while he sent off expresses by land and water to the Governor-General at his camp in Maine for instructions. Meanwhile he

determined to abide by his commission from King James, and to allow no movement for any other interests. There was not ever among the Colonies a uniform course of action upon the unofficial announcement of the sovereign's death. The propriety of proceeding without express orders was open to question, but the absurdity of acts of government in the name and authority of a prince who was certainly, though unofficially, known to have been dead and for months, generally influenced the governors to proceed without express orders, which might be delayed six months after letters and papers had brought the news. The uncertainty in such a case as the present in New York was vastly greater. Two parties were quickly formed, the believers and the doubters of the reports from England; the adherents of James, the official and aristocratic circles, led by Nicholson; and the friends of William and Mary, the large majority of the citizens who held that the Revolution had overthrown the Stuarts not only in England, but also their representatives in America, and that, therefore, the sole authority had now reverted to the people. Captain Jacob Leisler was the chief supporter of this view. The lack of certain information from England led to a period of confusion and transition. In all the Colonies the right of local self-government had been violated by King James; in all, therefore, the report of the accession of William and Mary was hailed with joy. In Massachusetts the forces of revolution and secession had both been at work. When Nicholson's expresses reached Andros in Maine "at Fort Charles at Penaquid" after a fortnight's journey, the Governor-in-Chief went at once to Boston where he found "a general buzzing among the people, great with expectation of their old charter, or they knew not what." On the 4th of April John Winslow came from Nevis, West Indies, to Boston with confirmation of the accession of William and Mary, but absolutely refused to inform Andros, who remained in ignorance of the great change in England. The colonists were agitated, and on the 18th of April there was "a sudden irruption of the people from all parts," and Andros, about to embark on the *Rose* frigate for New York, was seized and imprisoned. A more unjustifiable rebellion of colonists, who professed allegiance to their mother country, never happened,

remarks Brodhead. Yet it has been praised as patriotism by many writers of American history. "Again," says Palfrey, "Englishmen were free and self-governed in New England." The point of view makes a difference. There would have been no revolution in Massachusetts had William's orders of January 12th not been nullified by the intrigue of Cotton Mather and Phipps, who saw to it that they never reached Andros. Had Andros embarked in the *Rose* frigate, he would probably have proceeded to New York and there maintained his authority. But now the governor-in-chief of the "Territory and Dominion of New England" was in custody. Under James' commission Lieutenant-Governor Nicholson was to succeed Andros only in case of his death or absence from the territory; but it is doubtful whether a strict construction of the commission authorized Nicholson under the existing circumstances to assume the government of the Dominion. It was certain though that Nicholson or no one was, next to Andros, the only legal representative of the Crown in the Dominion. But the Bostonians, whose object was to break that very dominion into its old pieces, disregarded legalities. Massachusetts did not like union unless she could control that union, as she had done for years after the old Colonial Confederacy of 1643. It was galling to her to be subject to the authority of a governor-general, and her remedy was secession. Although but a subordinate English Colony, part of a consolidated union for the general good, when that union became irksome and that good less immediate, she determined to revolt from the central control; and so Massachusetts seceded from the union. And what Massachusetts did the other members of the union under Andros and Nicholson followed. Rhode Island resumed her old government. The charter oak gave up its treasure after eighteen months of hiding, and Robert Treat was again governor of Connecticut. Virginia's governor being in England, the Council with its president, Nathaniel Bacon, a popular favorite, proclaimed William and Mary at Jamestown. South Carolina chose Seth Sothel, governor, but the old form of government continued in Pennsylvania until November in the name of James II. Col. John Coode headed a Protestant party in Maryland, April, 1689, and

overthrew the proprietary government before Lord Baltimore's instructions to proclaim William and Mary reached Annapolis.

The spring of 1689 was a period of angry crimination, of hot words, and of rash acts. If the people's right to election was fiercely contested, it was ably and zealously defended. The determined spirit of the popular party was illustrated in a significant declaration of Governor Treat of Connecticut; who replied to a challenge of the validity of his authority "that the people had put him in, and he had ventured all he had above his shoulders on this account, and therefore he would maintain it."

Of the events which now pressed on in New York, Captain Leisler, leader of the democrats, must be considered the chief mover, says Brodhead. The historian of New York then proceeds to characterize Leisler, a German, born at Frankfort-on-the-Main, who "had first come to New Netherlands in 1660, as a soldier of the Dutch West India Company. For nearly thirty years he had lived in New York; where he had grown to be a prosperous merchant and importer of liquors. By marriage he had become connected with both Bayard, in whose command he was one of the five captains of train-bands, and Van Cortlandt; but he had been involved with them, and others whom he felt to be his superiors in education and social condition. A rankling envy of these New York gentlemen moved Leisler, as it always moves those brutal natures who count elbows and impudence better than refinement. Leisler was a fair sample of this class." "His nature was coarse and vulgar; his mind vigorous, but narrow; his temper hot, stubborn, and vindictive; his prejudices ungovernable; his vanity inordinate; his education very defective; his deportment presumptuous and overbearing. His personal integrity was unquestionable, as were his active benevolence towards poor Protestants and his blazing zeal against Popery. In Westchester County, his asylum for persecuted Huguenots who fled from France after the revocation of the Edict of Nantes, he named New Rochelle after the French city from which many of the Huguenots fled. Wanting judgment and discretion, but supercharged with unscrupulous boldness and low cunning, Leisler had many of the characteristics of a successful demagogue, but few of

the qualifications of a statesman. His fiery anti-popery zeal was only matched by his enthusiasm for William and Mary. Hoffman calls him the first really republican ruler who ever attained to power in America; the only political martyr that ever stained the soil of New York with his blood."

He had to meet an active, powerful, and virulent party, who hurled at him abuse and defiance. The same historian describes the leader of the aristocrats. "Nicholson was a soldier and a martinet; quick and irascible, a good subordinate, but hardly equal to responsible command; naturally a sycophant; professing to be a Protestant English Episcopalian, yet not troubled by inconvenient sectarian scruples; cheerfully kneeling among a Roman Catholic crowd while the popish mass was celebrated in the tent of King James, in his camp on Hounslow Heath, in the summer of 1686. This outward conformity to a ritual which no gentleman accidentally present could refuse to accord, did not prove Nicholson to be a Roman Catholic. But it showed him to be a courtly English Episcopalian; and his timely genuflexion told against him now, when the most trivial circumstances were distorted by popular credulity." Another writer regards Nicholson as a straightforward English official, obeying orders to the letter; and a devout and consistent Episcopalian who never omitted the public Sunday devotions. The three Protestant Councillors who governed New York with Nicholson were Frederick Phillipse, with fourteen years' experience in the office, the richest and dullest man in New York; Stephen Van Cortlandt, the mayor, an aristocratic conservative; and Nicholas Bayard, nephew of Stuyvesant, the rich and experienced colonel of the five companies of train-bands. These three gentlemen were members of the Dutch Reformed Church, of which Bayard and Van Cortlandt, as well as Leisler, were Deacons or Ruling Elders.

On March 2, after Nicholson had forwarded to Andros the information as to the Prince's invasion, he began to take measures of precaution against any popular disturbance in his own province. Mathew Plowman, the Roman Catholic collector of the port, appointed by James, had been keeping the taxes and public money at his lodgings in a private house some distance from the fort.

It being thought unsafe to leave so large a sum of money, about £1200, thus exposed, Plowman was ordered to bring all the money in his hands into Fort James "there to be locked up in a strong chest and sealed by him for the better securing off the same till further order from his Excellency." This simple precautionary measure was the immediate occasion of a widespread terror among the more illiterate classes. Might not the Lieutenant-Governor be a secret Roman Catholic, a tool of James II.? It was recalled that he had kneeled at Mass at Hounslow Heath three years before. The Indians were coming under French Catholic instigation; a French fleet hovered along the coast. There was unrest and suspicion. Refusing to act upon the reports of the Revolution in England which had overturned his king's dynasty, Nicholson was soon startled from his hesitation by surprising news from within his own domain, and given no room to doubt that the dominion of James had been overthrown by the Boston revolt of April 18. On the 26th of April Ensign Veasey of Braintree brought to the Lieutenant-Governor a copy of Cotton Mather's "Declaration off the Gentlemen, merchants, and inhabitants of Boston and the country adjacent," setting forth the reasons for their seizing Governor-General Andros, "the Fortt, the Castel and the Frigatt."

The Lieutenant-Governor was unprepared for such a juncture; and because he did not either usurp the chief authority or declare for William and Mary on the grounds of the reports which were current, he has been blamed for lack of vigor as a "martinet . . . hardly equal to responsible command." He was wise enough, however, not to exchange the certainty of his plain commission from James, for the reported authority of William. He convened his Council; and in the absence of orders from Andros or other superior, surprised and perplexed at the situation, having with him only three of the 39 Councillors, it was determined to advise with other leading men as to what course to pursue. Accordingly the Aldermen and Common Council were summoned. The next day, Saturday, the disturbance among the people was heightened by rumors that France was at war with England and Holland, and hostilities from French and Indians might be expected. It

was therefore determined to call not only the Aldermen and Common Council, but also the chief military officers, including Captain Jacob Leisler, to meet Nicholson and his Council that afternoon in the Town-hall. At this meeting some speaking in favor of the Revolution, Nicholson pulled from his pocket his commission from King James and threw it on the table "swearing with big oaths and protestations that he would live and die by the same." But the people avowed their fear of attack from some unseen foe. Most of the regulars had gone with Andros to Maine, and the few soldiers in the fort were not enough to inspire confidence, and many of them were old and infirm; so to quiet the fears of the people, and allay any jealousies about the fort cannon being turned on the city and "to show our willingness to defend the fort, City and Government against any common enemy Nicholson assented to the proposal that some of the city militia keep guard in Fort James, and that the city be forthwith fortified." Captain Leisler and others were ordered to view the places needing to be fortified, and to report to the General Meeting by 9 o'clock the next Monday.

Having taken these steps for immediate security Nicholson wrote the chief civil and military officers of all the counties that "having received the surprising news that the Inhabitants of Boston have set up a government for themselves, and also of rumours of war from abroad," they should meet him at New York to advise what should be done. Letters were also sent to eight members of the Council who were nearest to come with all expedition to Nicholson's help as they were "resolved to continue in their station till further order from England." All was now activity. The King's County officers came in on Monday and promised to "do all their endeavours to defend the country, to sett out a centry at Couny Island to keep a continual watch to looke out at sea, and if above 2 ships comes together then to send an express to the Governor." Leisler and the other officers made their report on the fortifications, and Nicholson proposed that the current revenue be appropriated for military defence. The Lieutenant-Governor and his Council wrote on May 1, to Andros offering their condolences, but asking the return of that year's

records, the want of which occasioned complaints and almost the only cause of trouble among a people inclined to peace and loyalty. To the Boston leaders a remonstrance was sent, and a request that they restore Andros or allow him to come to New York. Nothing came of the summoning the absent Councillors; but the counties gave assurances of loyalty and aid. Matters went well for a week or so, until money made trouble. On the Monday Captain Leisler had reported on the state of the defences and Nicholson had proposed the appropriation therefor of the revenues of the fort, one of Leisler's vessels entered the harbor with a cargo of wine, the duty on which amounted to £100. As the Collector Plowman was a Romanist, and according to the reports from England therefore disqualified to hold office, Leisler nevertheless entered his cargo in the custom-house, and engaged to pay the duty to such as should be legally qualified to receive it. The party of Nicholson and the Council which delayed action until official information of the change in government should come, interpreted this to mean an utter refusal to pay. When a little later, May 6, a committee was appointed to receive and apply the revenue to the defences, Leisler was chief in objecting to the plan; and to others imitating his example did not pay their custom duties, denying their legality, there was soon a scarcity of money. Leisler perhaps had no great affection for Andros from whom he had once suffered imprisonment on a matter of principle, and now he finds himself in opposition to the deputy Nicholson; yet he continued in the General Council, though asserting that it derived its powers from the new sovereign, rather than, as Nicholson did, from the commission of James. But the seeds of revolt had already been blown from Boston to the eastern end of Long Island. Suffolk County displaced her civil and military officers and chose others. So did Queens and Westchester. Instigated by Leisler, as it was alleged, delegates were sent to New York to "demand the Fort to be delivered into the hands of such persons as the country shall choose." On the 9th of May the whole Island was in an uproar, and the militia returned from Dongan's expedition to Albany met in arms at Jamaica, 14 miles from New York; and sent their leaders to

Nicholson clamoring for their pay. Money raised in New York satisfied them. Then the City militia hearing this, came before the town-hall in a great uproar while the General Council was meeting, and asked for money. But Nicholson satisfied their demands also and the uproar quieted. Rumors of uprisings threatened on Long Island were heard, and a letter, dated the 11th, was sent to the counties inviting them to send two or three representatives each to the Common Council. But none ever came.

On the 15th of May Nicholson and his Council despatched Ensign John Riggs in the *Beaver*, John Corbett, Captain, with letters to London, giving the Government a full account of their difficulties, and of the fatal connection of New York with Boston, and giving assurance that they would preserve the peace and security at New York till orders should come from England, which they prayed might be hastened with all speed. With the bearer of these letters went the Jesuit John Smith, Dongan's chaplain at Fort James. But Tunis, the Episcopal chaplain there, lacking the bishop's orders, continued to read his authorized prayers for the exiled Prince of Wales and that the dethroned King James might be victorious over his enemies. Although Andros in prison could not write to his deputy he had sent verbal instructions by George Wedderborne who reached New York May 18th, that Nicholson should send to Boston to demand his release; should carefully conceal his imprisonment from the Indians, and should send a sloop to Pemaquid. Nicholson made an attempt to carry out these instructions. He ordered Van Cortlandt to repair the King's bark should occasion be to use her; but he found no one willing to go to Boston to demand the release of Andros, "seeing the uproar in all parts of the Government, and therefore did think it most safe to forbear acting till they see the minds of the people better satisfied and quieted." The seeds of opposition were evidently working in Leisler's mind. Brodhead attributes to him the Long Island uprising of the 8th and 9th of May; on the 20th, when it was decided to reduce the size of the general meeting at the town-hall, he was one of those omitted, though he was the oldest and most popular officer.

Some differences arising among the commanders as to the location of the fortifications which were being built, the people became dissatisfied, and on May 21, Joost Stoll, an ensign in Leisler's Company, and fourteen others, presented to Colonel Bayard an unsigned and ill-penned petition demanding that all papists be disarmed. Col. Bayard laid the paper before the General Meeting. After considering and returning the petition through Captain Leisler and Captain Lodwyck, efforts were made to quiet the people through Van Cortlandt, but to little purpose.

But the delay in accepting the reports from England and acknowledging William and Mary, made the people impatient. There were wild rumors, that Staten Island was full of roaming papists, who would burn New York; that discharged Irish soldiers were coming from Boston to hold Fort James; and that the brigantine fitting out was for some warlike design in the interest of James. No explanation would satisfy the populace; it was useless to remind them how few papists there were in New York; that only some Irish soldiers had come from Boston, making, with the old cripples, 22 in the citadel; that two papist officers had been suspended and would leave for Virginia.

The preponderating Protestantism in New York was in no danger from the sparse Roman Catholic population, yet the fear of them was made the excuse for a revolution. The example of Massachusetts in revolting against Andros and the government set up by King James, had no doubt some influence. But the leading motive was devotion to a Dutch prince whose ancestors had restrained the Spaniards and who had delivered England from popery and tyranny, although known to hold the high Tory view that the inhabitants of the Colony were a conquered people without claim to the rights and privileges of Englishmen in England, but bound to the Prince's will and such laws as he should choose.

Yet there was no suggestion of misgovernment against Lieutenant-Governor Nicholson and his Councillors; but the Dutch were so eager for their Dutch Prince that although the Councillors were of the Dutch Reformed Church and Nicholson of the Church of England, yet because they were appointed by King

James, their sincerity was doubted and their authority denied. Andros was in prison; and the apparent slowness of the Lieutenant-Governor to declare for William was exasperating. Could he be meditating refusal or a popish plot? Trifles were now momentous. A trifle and a quick temper brought the crisis.

On the 30th of May when Nicholson was absent from Fort James, and the part of the militia of the city who had been permitted to enter, were under the command of Lieutenant Henry Cuyler, a Dutchman past fifty years of age, "whose weakness in the English language (was) owned by himself and who (was) of that timorous temper that he often is troubled in his mind with most strange imaginations," some friction was occasioned with the regulars in the garrison. Lt. Cuyler, without orders from the Lieutenant-Governor, directed his servant, young Corporal Hendrick Jacobson, to place a militiaman as sentinel at the sally port. This order was challenged and the sentinel refused by the sergeant of the regulars.

About 10 or 11 o'clock that night Nicholson returned to the fort and was informed of the militia officer's assumption of authority. Responding to the messenger sent for him, Cuyler, accompanied by Corporal Jacobson, who could speak English better than he, went up to headquarters where the Lieutenant-Governor was partially undressed, who in a rage demanded of Cuyler, "Who is commander in the fort, you or I?" Cuyler excused his action by pleading that he was under Captain De Peyster's orders. In a passion Nicholson replied, "I rather would see the Town on fire than to be commanded by you." Hearing these high words the soldiers of the fort were drawn up under the window; Cuyler calling for his stalwart Corporal to come in to interpret for him, Jacobson entered the room while Nicholson was stooping over unlacing his stockings. When he looked up and saw a tall, strong man with his sword in hand over his left arm, Nicholson rose up in a passion and said to the Corporal, "You Rascall what doe yow here? Get yow gon, or I will Pistoll yow," and taking "downe a Pistoll which hung by the wall," put it at the Corporal's breast, and drove him from the room. He then told Cuyler that "there was so many rogues in

the Town that he was not sure of his life nor to walk the streets and that before it would goe longer after this manner he would sett the town in fyre."

The report of the affair spread like wild fire; and "bred such a noise and jealousy all that night, and especially next morning through the Towne" with the usual exaggeration, that there was great excitement.

It was reported and generally believed that Nicholson had threatened to burn New York, and it was added that he meant to massacre all the Dutch who should come to worship next Sunday in the Dutch church in the fort. The obscurity of the rumor seemed to give it greater currency, and no contradiction would satisfy the people. They would have it that Nicholson and his Councillors were all papists; and would make the next Sunday a Dutch Saint Bartholomew's. Friday the last of May was a day of commotion. To allay the excitement Nicholson went to the town-hall and explained to the General Convention that being a sworn royal officer, and without official notification of a change of sovereigns, his only course was to hold the province in peace until orders should come from the actual sovereign of England; and that the accounts of his interview with Lieutenant Cuyler the previous night were false. But when Cuyler maintained the truth of his story, Nicholson exclaimed, "Go fetch your Commission; I discharge you from being Lieutenant any more." Angered at this, Cuyler and others retired; the drums were soon beat, and groups of the trained bands appeared in arms. Leisler's Company mustered tumultuously before the door of his house, and threatened to shoot him if he did not take the lead. Leisler was not surprised at this, it is said, but was the contriver of the plot, because just then a vessel with a cargo of wine for him was in the roads, and he wished to avoid paying duty thereon. Declining, however, the demand of his soldiers, he left the command of them to his sergeant Joost Stoll, a dram-seller, who quickly led the men to Fort James, shouting "we are sold, betrayed, and to be murdered; it is time to look out for ourselves." Cuyler admitted them to the fort; and Leisler joined them and took possession. But the keys to the fort and its chest were kept

with Nicholson at the City Hall. A consultation was at once held how they should obtain the keys. The tumultuous multitude demanded them. So Sergeant William Churchill with twenty armed men was sent to demand them of Nicholson, who had gone to supper at the residence of Frederick Phillipse. "With much insolence this impertinent, impudent fellow rushed into the room where the Lieutenant Governor was," and demanded the keys of him. He declined to yield them ; and repaired to the City hall ; there Captain Lodwyck forced him to deliver them, and seized the chest in his chamber containing £773 of government money. Leisler, late at night published as Colonel, drafted a Declaration referring to Dongan's popish government, charging Nicholson with plotting to set the city on fire, and asserting his determination to hold the fort until superseded by orders from London.

Next day, June 1, Mayor Van Cortlandt and the Councillors, mixed freely with the people, and nearly succeeded in quieting their suspicions of Nicholson. But Leisler denounced them all as rogues and papists and the Councillors were accused of popish plots. It was a black Saturday in New York. Thus ended in New York, Nicholson's authority, the Dominion of New England and the Stuart government.

One historian attributes Nicholson's course to weakness, calls him a regular parade soldier, who, without the directing mind of Andros, shrank into insignificance, when he might have saved New York and her Dutch king much trouble. But he and his Councillors, provincial gentlemen wishing to avoid antagonism, and lacking the energy and skill to cope with the occasion, by mere imbecility lost their opportunity. If he had disregarded official forms and acting upon the announcement in the London Gazette of William and Mary's accession and proclaimed them in New York all might have been well. Excluded from the fort and deprived of the government funds, Nicholson kept up a show of his authority with headquarters at the residence of Councillor Phillipse, determined as an official bound by red tape to await instructions from his chief, and not to act without them. Subordinate to the imprisoned Andros, and hampered, perhaps, by his conservative Councillors, though he knew unofficially that

William aud Mary had been proclaimed iu Boston and in England, Nicholson did not dare to take the bold steps which the unfettered Leisler trod. Ou the contrary, leaving Leisler in Fort James, and deputing Phillipse, Van Cortlandt, and Bayard to preserve the peace during his absence, and until His Majesty's pleasure should be known, he determined to go to England himself to render an account of the present deplorable state of affairs in New York. Leisler had circulated reports that Nicholson was a papist and traitor who intended to secure the government for the late King James; and a sloop from Barbadoes arriving near Coney Island on the Monday morning following the anticipated St. Bartholomew's Day, Leisler gave the alarm from Fort James, and spread a rumor that French ships were inside Sandy Hook. Nicholson aud his three Councillors remained all day in the west room of the Phillipse mansion, powerless figure-heads of government without soldiers or fort, while Leisler detained and opened their despatches.

That week Nicholson determined to go to Eugland, in Dongan's brigantine, aud departed very privately to the Nethersiacks about twenty miles off to embark. Failing in this he tried to sail from New York; but feeling ran so high that he was refused passage on the three ships which carried papers from Leisler to Dutch merchants in London who were to deliver them to the Kiug.

Dongan had goue to sea, but the hard weather and seasickness had caused him to return "chusing rather to die on shoare than at sea."

And his brigantine lying in the harbor, Nicholson bought one-third iuterest in her, loaded 25 tons of logwood and finally on Monday, June 24th, 1689, sailed from New York for Madeira. He reached London in August, having been in America for nearly three years. Two days before he sailed Leisler had proclaimed William and Mary, and then circulated the report that "Nicholson, that popish dogg was turned a privateer and would never show his face in England." His flight, retreat, or simple departure, seemed premature, for John Riggs having reached London, on July 16th, with Nicholson's letter of May 15th, and having on July 22, told the Plantation Committee what he had

seen in Boston, the Privy Council and also the King, not knowing of course that even then Nicholson was on his voyage home, wrote on July 30, a letter to our "Trusty and well-beloved Francis Nicholson, Esqr., our Lieut.-Governor and Commander-in-Chief of our Province of New York in America, and in his absence, to such as for the time being take Care for Preserving the Peace and administering the Lawes in our said Province of New York in America"; directing Nicholson to proclaim William and Mary, and to take on himself the government of New York.

John Riggs was ordered to return to New York with this letter, but before he set out, August 30, Nicholson had arrived in England. Yet the letter was not delivered to him, for it was supposed that it would accomplish its purpose by falling into the hands of Phillipse, Bayard and Van Cortlandt; and Riggs proceeded to New York, arriving December 9. When however Nicholson was accorded a personal interview with the king, and informed the Plantation Committee of the actual condition of New York, the king was moved to send forthwith a governor to New York in a warship, with two new foot companies; and also presents for the Five Nations to hold them against the French.

Nicholson desired the appointment as Governor of New York and urged his claim with such force that he seemed likely to succeed. It was reported in New England that he had succeeded. The proud Duke of Bolton used his powerful influence for him, strongly urging his appointment. The Earl of Shrewsbury wrote to him, "As to Captain Nicholson, his Majesty is undecided how he shall dispose of the government; but however he succeeds in this I doubt not he will find the benefit of your recommendation." The Duke of Bolton replied: "You will do me a great kindness to assist Captain Nicholson."

He was now 34 years old, a bachelor, apparently not without means, and not unknown at Court, when he sought preferment.

Jacob Leisler, maintaining that his actions had been dictated by loyalty to the king, to the Protestant faith and to his Country, self-opinionated no longer, broken in spirit, overcome by grief, and humbling himself before God, having been spit upon, robbed of wig, sword, and sash, stripped, abused, manacled, was taken

from an underground hole of stench and filth, and on Saturday, May 16, 1691, hanged.

Nicholson continued to seek the post of governor of New York, but though he had "not interest to carry it" yet his three years' trial in the Territory and Dominion of New England amid political unrest and religious bitterness, was not regarded as failure, for on November 14, 1689, when King William approved Col. Henry Slaughter's Commission as Governor of New York, he also gave approval to Nicholson's administration there, by appointing him Lieutenant-Governor of Virginia under Lord Howard of Effingham. His salary was to be £500 until he reached his province; then it would be £1000 during the governor's absence. The following winter awaiting orders to sail for America, Captain Nicholson was assigned to Colonel William Beveridge's regiment of foot.

Captain Nicholson seems to have been pleased with this promotion, and was even willing, says Hutchinson, to vaunt himself before his recent colonial frieuds by writing to the Massachusetts authorities, and then with an air of boasting concludes his letter: "From him who has the honor to be their Majesties lieutenant-governor and commander-in-chief of the Colony of Virginia, F. Nicholson."

After he had reached Virginia he was railed upon by the governor of Massachusetts, Sir William Phips, who declared that Nicholson was an ill man who had never done a good action in all his life, was unknown to the king, and only received his appointment through the recommendation of some courtier, there being some that were about their Majesties, who for money got in many that were not for the king's interest.

Nicholson himself once declared that it was the universal opinion in New England that any thing could be procured at Whitehall for money.

The last of the Stuart governors of Virginia, Lord Howard of Effingham, deserted his Colony and remained in England under the plea of ill-health, when the Revolution came. It seems strange that such a man as Lord Howard should have been re-

tained in office after the Revolution, corrupt and incompetent as he was, a Papist, and a supporter of the worst features of the Stuart regime. The evil was modified indeed by reducing the Governor's salary one-half, and assigning the actual administration of his province to Nicholson as his deputy; while the new instructions to the Governor limited his power of suspending councillors and clearly and fully recognized the right of taxation as vested in the Assembly. Certain taxes were to be recommended, the Assembly was to be persuaded to pass an act by which the governor and council should be allowed in cases of emergency to raise money for government, but such money was to be accounted for at the next Assembly. It would be difficult to imagine, says Doyle, a clearer acknowledgment of those rights for which Virginia did battle eighty years later. But the Virginians who had given Colonel Ludwell 250 pounds for carrying to England a complaint against Lord Howard were indignant at seeing Effingham still retained in the office of governor, and believed that Nicholson would become his tool. In fact the colony was ready for revolt. The glorious Revolution seemed as yet productive of no amendment in the colonial administration. The government continued for the time being in the hands of Colonel Nathaniel Bacon, Sr. of York County, president of the Council, a man of seventy years; for although Nicholson was appointed lieutenant-governor in November, 1689, he did not arrive at James Town until May, 1690.

CONSTRUCTION OF THE PUBLIC BUILDINGS IN WASHINGTON.

JOHN H. B. LATROBE.

[The reading of this paper, in 1865, was accompanied by the presentation of a portfolio of designs (mostly very inferior) by various persons, for the public buildings at Washington.]

In 1803, my father, dead since 1821, of whom it may be permitted to me, after so long an interval, to speak as a person of very extraordinary accomplishments in literature, science and art, as well as a thoroughly educated architect and engineer,—was called by Mr. Jefferson to take charge of the further prosecution of the public buildings at Washington. He had come from England in 1796, was occupied professionally in many parts of the country, and some years elapsed before he could give his time, exclusively, to his duties in Washington. Workmen in those days had to be taught how to work; and skilled labor had often to be imported from abroad. This was altogether the case in all matters connected with decorative art, and my father's letter-books are filled with correspondence recounting his difficulties and explaining his methods of overcoming them. Among other letters, which I have recently looked at, none are more interesting than those addressed to a Signor Mazzei of Pisa, through whose assistance sculptors were obtained from Italy. In a letter, dated May 29th, 1806, my father writes to Mr. Mazzei what seems sufficiently interesting in this connection to be inserted here.

After certain statements in regard to Messrs. Andrei and Franzoni, two Italians, who had been sent to Washington by Signor Mazzei, the letter goes on:

"The President of the United States, no doubt, informs you in the course of his correspondence of the general direction which

knowledge, commerce, manners and political opinions are taking in this country. The revolution in the sentiments of the great mass of our citizens, which placed him at the head of our government, has been favorable to the prosperity of the country, assuring us of peace, while honorable peace can be maintained, and of that freedom of acting and speaking which developes and encourages talent and superior genius in whatever rank they may exist. Inconveniences grow out of the best measures; and while the individuals of which communities consist are imperfect, the conduct of communities themselves will be liable to partake of imperfection. Thus, the liberal mind aud enlarged views of our President (Mr. Jefferson) in respect to our metropolis and the encouragement of art among us, find opposition in the excellent nature of our political institutions.

"The establishment of the Federal City was one of the offsprings of that revolutionary enthusiasm which elevated the American mind far above the aera in the life of our nation, then present. It has been said that the idea of creating a new city—better arranged in its local distribution of houses and streets—more magnificent in its public buildings, and superior in the advantages of its site to any other in the world, was the favorite folly of General Washington. Its existence at last was due to a compromise of interests between the Eastern and Western States. After the law had established that there should be a city, General Washington seems to have thought that everything had been done towards making it. He himself built two indifferent houses in it. Everything else was badly planned and conducted. L'Enfant's plan has in its contrivance everything that could prevent the growth of the city. The distribution of the public buildings over a space five miles in length and three in breadth prevents the possibility of concentration. The proprietors of the soil, on which the town is to be spread, are rivals and enemies and each opposes every project which appears more advantageous to his neighbor than to himself. Speculators, of all degrees of honesty and of desperation, made a game of hazard of the scheme. The site itself is upon a river noble in its extent and depth of water below the city, but above it of difficult navigation and running through a

country comparatively barren in the materials of commerce—agricultural produce. On the map the Potomac appears a mighty river, but in fact it is with the exception of the Shenandoah and a few other branches the drain of a mountainous and barren country. But the principal disadvantage under which the city labors is the preoccupation of its commerce by Baltimore and Alexandria and Georgetown. The latter cities are in truth the factories of Philadelphia, Baltimore and Norfolk. The principal part of near a million of dollars disbursed in the Federal City passes through Alexandria and Georgetown to our large seaports. These two towns have accordingly prospered and increased, and may be compared to a pair of fat twins who are suckled by a consumptive mother. The plans of the public buildings were obtained by public advertisement, offering a reward for that most approved by General Washington. General Washington knew how to give liberty to his country but was wholly ignorant of art. It is therefore not to be wondered, that the design of a physician, who was very ignorant of architecture was adopted for the Capitol and of a carpenter for the President's house. The latter is not even original, but a mutilated copy of a badly designed building near Dublin. If these buildings are badly designed, they are still more indifferently executed. One wing of the Capitol was finished in 1800, when Congress removed hither. The French proverb, "The shortest follies are the best," ought then to have been remembered by the national legislature; and indeed the Legislature never would have been removed to Washington had not a hope of gaining Southern votes for the re-election of Mr. Adams prevailed over the aversion of the Federal Party, generally, to remove the seat of government from a large and convenient town to an anomalous kind of settlement, neither city, town nor village.

"The present President, whose talents and patriotism you know too well to render it necessary for me to say anything to you on his character, has been the only real patron of the city. He has caused excellent roads to be made between the public buildings, and has lent his influence and example to every measure that could promote its growth and prosperity. But it is, I fear, beyond

the power of his or any other other administration to *force* a city on a spot, all the advantages of which have been rendered of no avail by the prior establishments, which, with capital already accumulated, wharves and warehouses already built, markets already opened, and commercial connections, domestic and foreign, already made, are its rivals."

In the above extract reference is made to the excellent roads which Mr. Jefferson had caused to be constructed between the public buildings. My own recollection goes back to some of these—more particularly the Pennsylvania Avenue, or as it was then called *par excellence*, "the avenue." The western side of the hill on which the Capitol stands, now adorned with shady walks and shrubs of all kinds, was then clothed with forest trees, and rude paths wound up it, washed into gullies by the heavy rains of summer. From the foot of this, the avenue stretched off towards the President's house. In the centre was a gravelled road, with a deep ditch on each side, separating it from gravelled footways which ran between rows of Lombardy poplars; and beyond these again, were pavements wherever there were buildings—occupying the place of the present pavements of the avenue. All this was in 1812. When a visit was to be paid in a carriage, the vehicle was driven across the ditch separating the road from the footways at the crossing of an intersecting street, and trespassed upon the space intended for pavement in front of the particular mansion, leaving the foot passengers to get along as best they might. I well remember, on one occasion, when returning from school with a boy's slouch hat pushed down on my ears, suddenly finding myself with a large dapple grey horse on each side of me, and making a rapid exit under the belly of the near one, rushing home, then close by, without looking behind me—terribly frightened, and not much calmed by a summons to the parlor, where I was met, as I entered, by Mrs. Madison, who gave me a hearty shaking, exclaiming as she did so—"You terrible boy—my heart is in my mouth yet—you have scared me almost to death,"—and then I was kissed and cuddled and asked if I was hurt, and generally made much of after the fashion usual on such occasions.

It seems that the President's carriage with four spanking greys was driving up to my mother's door with Mrs. Madison, to pay a morning visit, when I was flanked so unceremoniously in the way I have described.

In summer the old avenue was fair travelling. In winter it was bad enough. In winter and summer, however, it was better than the present vast expanse of rubble stone pavement—for the dimensions of the carriage way were contracted, and the Lombardy poplars,—poor shade trees as they were,—afforded a relief to the glare of the broad, unbroken highway.

Among the numerous papers which fell into my father's hands were those contained in the portfolio now presented to the Society. They were regarded as rubbish at the time; and I well remember, as a child, the amusement they afforded to those to whom they were, then, occasionally exhibited. They have been great travellers since. Sometimes in Washington—sometimes in Baltimore—sometimes in Pittsburgh—as far South even as New Orleans—they have been preserved,

pes tot varios casus per tot discrimina rerum.

It is hoped, now, that they have, at last, found a resting place.

The physician mentioned in the letter to Signor Mazzei, was Dr. William Thornton, afterwards superintendent of the Patent Office, whose boast was that his architectural education was completed in two weeks of study in the Philadelphia library. He was a man of genius and parts—of considerable eccentricity, and irritable and impatient with regard to his plan. Wholly ignorant as may be supposed of construction, and inexperienced in the combination and arrangements of the parts of a vast edifice into an harmonious whole, long before my father had any connection with the work, it had been found necessary to invoke the assistance of better qualified persons. The most prominent of these were two Englishmen—Hallet and Hatfield, who, at different times, aided Dr. Thornton—or rather warred with him while connected with the Capitol. They were both men of taste and ability, and Hatfield, of whom I have, myself, a dim recollection, is described as

a person of great skill as an architect and a man of great worth and amiability. Dr. Thornton tolerated neither; and as the successful competitor to whom General Washington had awarded the prize, he had a prestige and influence during the life-time of the latter and for some years after his death, which made him a paramount authority, his ignorance of practical architecture notwithstanding. Hallet and Hatfield were both driven by him from the field—but their names ought not to be forgotten when the story of the design of the Capitol ever comes into discussion.

As an illustration of the want of adaptation of the original design to purposes of utility, I might mention what I myself recollect of the staircase of the north wing, which occupied an oval space in the centre of the building and extending upward to the roof. Its exact dimensions I cannot state. I only recollect that to my youthful eye they seemed enormous. They were certainly very large. In the east and west steps ascended to perhaps half the height to be overcome, where they met face to face on a landing, from which opposite flights of steps running up to the north and south gained a narrow corridor that ran around the oval I have referred to, and from which opened doors that gave access to other portions of the building.* The space occupied by a portion of this staircase may still be recognized in the circular colonnade between the central hall of the building and the vestibule of the former Senate chamber, now the Supreme Court room. The colonnade it will be remembered by those familiar with the Capitol is supported on an arcade below, and the columns whose capitals are formed of the leaves and flowers of the tobacco plant, and the columns on the vestibule below whose shafts are formed of the stalks while the ears of the Indian corn form the capitals are the first attempts towards an American nationality in architecture apart from the monopoly in art established by the classic structures of Greece and Rome, the giant masses of Egypt and the grand yet almost fairy edifices of the Gothic and mediæval age. These attempts were not made how-

*The effect of the arrangement here described was wholly inferior to what the space occupied demanded, and illustrated but one thing, which was how much ignorance could promote inconvenience.

ever by Dr. Thornton or Hallet or Hatfield. They were after their day—and Mr. Walter in the extension of the Capitol has shown how various the use that may be made of the idea.

It was, in all probability, the want of skilled intelligence that led to the appointment of my father in 1803, to go on with the public buildings. Of a different temper from the gentlemen just named, he maintained his ground in spite of Dr. Thornton—pulled down, altered, amended, rebuilt, strengthened and made permanent the sorry structure that he found. When Dr. Thornton disappeared in this connection, and in 1814, when the Capitol was burned by the British, it was, at all events a creditable structure—so far, at least, as to be convenient, habitable, and decorated with taste and judgment, infinitely better than anything that could have been produced from the best of the designs now before the Society.

That the story may be told to the end, and some continuous record of the Capitol brought down to the present day, it may be added that when it was determined to rebuild the Capitol, my father was recalled by Mr. Madison, then the President. The flames kindled by Admiral Cockburn had destroyed every vestige of Dr. Thornton's work. The solid vaults alone remained in the lower stories. The walls were cracked and shattered, and the whole interior of the upper stories—the House of Representatives—the Senate, etc., had to be re-designed and rebuilt as they existed before the present extension. The national legislature being once more in the Capitol, and the design of the building being completed, my father's connection with the Capitol ceased, and he was succeeded by Mr. Bulfinch of Boston, a gentleman of ability and skill; and by him, the present building, excluding the dome and the extension, was finished. When it was resolved to extend the Capitol, Mr. Thomas U. Walter of Philadelphia, who was the student of the last survivor of my father's pupils, was called to the task, which he has completed in a manner which, while it has given a magnificent building to our country, has nobly illustrated his genius and his wondrous skill. Had not the events of the last four years absorbed the public attention, the gradual growth of the dome—a structure unique in the world,

would have attracted the notice due to the extraordinary combinations of one of the most elaborately complicated structures of modern times—or indeed of any time—for there is no such edifice, built of iron, in the world, nor ever has been.

If what was intended to be a brief notice of the portfolio so often referred to, has spread itself into a tedious narrative, the apology, I trust, will be found in the circumstance that, remote as are the facts referred to, my personal recollection bears witness to the general accuracy of many of them; and in the truism that in the history of a people their architecture has often times furnished the only materials—and frequently the most interesting. The refinement of Greece finds better witnesses in the Parthenon, the Erectheum and the Propylæa, than in the poems of Homer or the tragedies of Aeschylus. And the monoliths of Egypt testify to a mechanical and wondrous skill of which no written statement, no tradition even, is extant.

AN EARLY MOVEMENT FOR THE INCORPORATION OF THE PRESBYTERIAN CHURCH IN BALTIMORE CITY.

The First Presbyterian Church in Baltimore was organized in 1761, and was incorporated by the Legislature in 1798. There have recently come to light, in the papers of the Society, the records of an interesting movement to have the church incorporated twenty-four years earlier, and these documents are printed herewith. It has not yet been ascertained why the movement failed, nor whether it was renewed during the period intervening between 1774 and 1778. The three papers are found among the manuscripts of the Society and are catalogued as Black Book No. 10, papers 75, 76, 77.

The endorsement of this paper is

THE PETITION OF THE PROTESTANT DISSENTERS IN BALTIMORE COUNTY.

1774.

To His Excellency Robert Eden Esq^r^ Governour and Commander in Chief in & over the Province of Maryland

The Petition of us the Subscribers, in behalf of ourselves & Others, Members of the Presbyterian Society in Baltimore Town, humbly Sheweth

That your Petitioners, being Protestant Dissentors, have at a considerable Expence purchas'd a Lot of Ground, & erected thereon a Church, for the decent Celebration of our public Worship, in the Exercise whereof we are influenced by such Motives, as our best Information obliges us to approve.—Our religious Profession, tho different from the Church established in this Province, is perfectly consistent with the Government & Laws, which breathe the Spirit of Toleration: Yet, as We enjoy no Legal Consideration in a Congregational Capacity, we are unavoidably subject to many Inconveniencies in recovering & Securing such Subscriptions as become due in the ordinary Management of our Affairs, together with any Grants, Devises, & Donations which have been, or may hereafter be, made for the Use and benifit of our Church, And fear that We are not sufficiently enabled to hold the Church, Burying Ground & Estate of the Society by a clear & indisputable Title.

Under these Circumstances We beg leave to request, That Your Excellency woud be pleased to grant unto certain Persons of our Society a Charter of Incorporation for the benefit of the Same, whereby our Apprehensions & Inconveniencies may be removed, and our Possessions effectually Secured.—

With pleasure we view the spreading Catholicism of the persent enlightend Age, and the agreeable Harmony which prevails among Christians of Various Denominations.—Encouraged by your

liberal & generous Sentiments, We respectfully prefer this Application to your Excellency, whose mild & impartial Administrations since you received the Reins of Government in Maryland, have Justly entitled you to the warmest Acknowledgements from all its Inhabitants. Should we be so happy as to obtain your Approbation of our Request, it will increase the Obligations we are already under to Your Excellency, in common with the whole People, who have experienced the salutary Effects of your upright Measures.—With due deference We submit the Premises to your Consideration, intreating Your Excellency to Grant us such Relief therein, as to your Wisdom shall seem proper, And Your Petitioners, as in Duty bound, shall pray

Jon[a] Plowman.
Will Lyon per W. Smith.
Wm. Buchanan.
Wm. Spear.
Jas. Sterett.
Saml Purviance, Jun[r].
Jas. Calhoun.
W. Smith.
Wm. Neill.
John Boyd.
A. Stenhouse.
Jno. Smith.
Robert Purviance.

} Committee of the Presbyterian Society in Baltimore Town.

The Particulars proposed to be contained in the Charter of Incorporation, which is apply'd for to his Excellency the Governor.

That the following Persons, William Lyon Jonathan Plowman John Smith William Buchanan William Smith William Spear James Sterrett John Boyd Samuel Purviance Alexander Stenhouse Robert Purviance James Calhoun & William Neill be a Body Corporate & Politic in Law, by the name of the Committee of the Presbyterian Church in Baltimore Town.

That the Corporation have a right of continuing the Succession

forever. That the number of Members in said Corporation shall not at any time exceed Twentyone, Nor be less than Nine.

That they be impowered to hold possessions for the benefit of the Society, whose annual profits shall not be more than

That they may hold a Public Seal, and make Such by Laws & regulations as shall be found necessary, & which are consistent with the Laws of Great Brittain & this Province.

That if the Corporation Shall neglect or refuse to chuse new Members, for the Space of three Months after they may happen to be reduced to the number of Nine, then it shall & may be Lawfull for the Society to meet & chuse members of said Corporation, that the Succession may thereby be maintained.

Henry Harford Esq^r. true & absolute Lord & Proprietary of the Province of Maryland to all to whom these presents shall come Greeting.

Whereas the Committee of the Society of Protestant Dissentors in Baltimore Town, at present known & distinguished by the name of Presbyterians, have signified to us that they are subject to great apprehensions & inconveniencies for want of being a Corporate Body in Law to hold their Church & Burying Ground by a sufficient Tenure, & to claim & recover such Subscriptions & Debts as become due in the ordinary management of their Congregational business, & to receive & secure any grants, devises & donations which have been & may hereafter be, made for the use & benefit of their Church,

Wherefore they have in behalf of themselves & said Society prayed us to grant our Charter of Incorporation to them the said Committee for these purposes,

Now know ye That we favouring the said Prayer & application & being desirous to encourage every pious & useful design & for other good causes & considerations us thereunto moving do by these presents give, grant & declare that the said Committee are & shall be one Body Corporate & Politic in Deed by the name of the Committee of the Presbyterian Church in Baltimore Town one Body Corporate & Politic in deed and name we do

for us our Heirs and Successors fully create constitute & confirm by these presents & that by the said name they may have perpetual Succession and that they & their successors by the name of the Committee of the Presbyterian Church iu Baltimore Town be, and at all times hereafter shall be, Persons able & capable in Law to have, get, receive, & possess Lands, Tenements, Rents, Liberties, Franchises & Hereditaments, to them & their Successors iu Fee simple, or for Term of Life, Lives, years or otherwise, and also Goods, Chattles, & other things of what kind or quality soever, which together with the proffits arising from the Burying Ground, Scite, & Pews of said Church shall be considered as the Stock & Property of the said Church provided that the real Estate of the said Corporation shall not at any time exceed the snm of Sterling Money of Great Brittain ℔ annum exclusive of the Profitts arising, or that shall arise from the burying Ground, Scite, & Pews of said Church: And also to give grant, Let & assign the same Lands & Tenements, Hereditaments, Goods & Chattles, excepting the Burying Ground of said Society and the scite of said Church aud to do & execute all other things abont the same and also that they be, and shall be, forever after Persons able & capable in Law to sue & to be sued, Plead & be impleaded, defeud & be defended in all and any Court & Courts within the said Province in all manner of Actions, Suites, complaints, Pleas, Causes and matters whatsoever, and that it shall & may be Lawfull to and for the said Committee of the Presbyterian Church in Baltimore Town, and their Successors for ever hereafter to have and use one common Seal for the Sealing of all business touching the said Corporation, and the same from time to time at their will and pleasure to change and alter, and also that it shall & may be Lawfull for the said Committee or a majority of them & their Successors for ever to make and enact all by Laws, rules and ordinances that shall & may be necessary for the regulation and management of the Stock & property of the said Church & that are not inconsistent with, or repugnant to, the Laws of great Brittain or this Province, Provided allways that said Corporation shall not engage in any new business or nndertaking, not authorised by the ordinary usage & Practice of said Society, whereby

said Society shall be involved in an expence of more than fifteen Pounds Sterling Money of great Brittain aforesaid, nor shall said Corporation alien or encumber the real Estate or any part of it without the consent & approbation of two thirds of said Society when convened together for this purpose; and in order that such consent & approbation may be regularly obtained, Public notice shall be given from the Pulpit of said Church the two Sundays next preceding the Day on which a meeting of said Society is appointed to be held, which meeting shall be held accordingly and the business shall be determined by a Majority of two thirds of those persons who, having a right to vote, shall meet & vote accordingly, provided that no person shall be judged capable to interfere or vote, unless he shall have belonged at least one year to said Society, and have paid one Years contribution for a Pew, or part of a Pew, in said Church, not less than five Shillings Sterling Money of great Brittain aforesaid, and shall not be in arrear for one years contribution, and said Corporation are hereby required to produce in said Church on the first Monday in May yearly and every year, a regular account of all the monies, rents, profits, which have from time to time by them been received or alienated and disbursed for the inspection of any Members belonging to said Society who are qualified to vote as above described.

And we do by these presents for us our Heirs & Successors ordain constitute & appoint that the said Corporation shall consist of the following persons, viz. William Lyon Jonathan Plowman John Smith William Buchanan Will^{m} Smith William Spear James Sterrett John Boyd Samuel Purviance Alexander Stenhouse Robert Purviance James Calhoun and William Neill and such other persons as shall be chosen, nominated & Elected by them & their Successors from time to time for ever, provided that the number of Members in said Corporation shall at no time hereafter exceed Twentyone nor be less than Nine, and provided also that no person shall be held capable of being elected a member of said Corporation unless he shall have belonged at least one year to said Society, and shall have paid one years Contribution for a Pew in said Church, not less than Ten Shillings Sterling Money of Great Brittain aforesaid, and shall not

be in arrear for one Years Contribution and if any Member of said Corporation shall remove more than fifteen Miles from Baltimore Town, or shall neglect to attend or be absent from the Meetings of said Corporation for the Space of one Year then every Member so removing or so neglecting shall thereby forfeit his Right, interest & claim in said Corporation and cease to be a Member thereof.

And we do by these presents for us our Heirs & Successors ordain constitute and appoint that, when & as often, at all times hereafter as the said Corporation shall agree to hold an Election of new Members for Securing the perpetual Succession thereof the names of the persons intended to be chosen and qualified as already directed shall be mentioned at one of the Stated meetings of said Corporation and the Election shall be held at the next Subsequent Stated meeting & shall be determined by the concurrence of a majority of two thirds of the whole Corporation and not otherwise and if said Corporation shall when their number is at any time reduced to Nine neglect or refuse to hold an Election of Members for the space of three Months after said Reduction then it shall & may be lawfull for said Society to meet together having had public notice in time & manner as heretofore mentioned & to Elect fit & discreet Persons who shall be qualified as has been already described to be Members of said Corporation that said Corporation may be thereby perpetuated and the good design of its institution be fully answered and such Election so held shall be determined by a majority of two thirds of the Members of said Society who having a right to Elect shall meet & Elect accordingly provided always that no person shall be permitted to Elect or chuse who shall not possess the qualifications laid down in a preceding part of this Charter specifying the persons who are judged capable to Interfere and vote in the alienation of the Estate of said Church &c.

And lastly we do for us our Heirs & Successors grant & declare & ordain that the present Charter & every article therein contained shall be in all things firm & valid & sufficient in Law unto the said Corporation and their Successors forever according to the true intent & meaning thereof without any

farther grant from us our Heirs & Successors to be procured and obtained.

In Testimony whereof we have caused these our Letters to be made Patent and the great Seal of our Province of Maryland to be hereunto affixed on this Day of in the year of our Dominion & in the Year of our Lord One Thousand Seven Hundred & Seventy four. Witness Robert Eden Esquire Lieutenant Governor and Commander in chief of the Province aforesaid the Day & Year above mentioned.

HAMMOND VS. HEAMANS.

HAMMOND VERSUS HEAMANS

OR AN

ANSWER

To an audaeious Pamphlet, published by an impudent
and ridiculous Fellow, named
ROGER HEAMANS,
Calling himself Commander of the Ship *Golden Lion,* wherein
he endeavours by lies and holy expressions, to colour
over his murthers and treacheries eommitted
in the Provinee of Maryland, to the
utter ruine of that flourishing
Plantation;

Having for a great sum sold himself to proceed in those cruelties; it being altogether answered out of the abstraet of credible Oaths taken here in England.

In which is published His Highnesses absolute (though
neglected) Command to Riehard Bennet Esq^r^
late Governour of Virginia, and all others
not to disturbe the Lord Baltamores
Plantation in Maryland.

By JOHN HAMMOND, a Sufferer in these Calamities.

1. Sam. 20, v. 23. As touching the thing which thou and I have spoken of, behold the Lord be between thee and me.
Job 22, v. 5. Is not thy wickednesse great, and thine iniquities innumerable?
Job 12, 7. Ye speak wiekedly for God's defenee, and talk deceitfully for his eause.

Printed at London for the use of the Author, and are to be sold at the Royall Exehange in Cornhill.

HAMMOND VERSUS HEAMANS.

I was very opposite to publish myself to the world a fool in print, resolving rather to wait the determination of the Supreme Authority of England, by whō (and not by railing invectives) we must be tryed, than to have expressed so much indifferency as to have carped unseasonably at the proceeding of these inhuman, ingratefull, and blood sucking Sectaries, which mention God in their lips, but their hearts arre far from him; but that I see daily a broaching of lyes, one confederating and in the neck of another, which begets belief amongst many, and carries a vulgar applause along with their action, the only way these people ever pitched on to effect their designs, and the rather are they credited by our silence.

We desire to satisfye every man, and especially our worthy friends the noble Virginians in England (for in Virginia they are sufficiently informed) and that by their unbyast discourses and relations they may undeceive such as the hypocricies of these fellows hath deluded.

This, and the inward vexation which perplexeth me to read what they write, to hear what's reported, awakes me, as knowing more of their deceits and proceedings than any man living. I have at this present written, lying by me an Historical relation of the transactions of Virginia and Maryland, under the Government and Tyrrany of Richard Bennet and Colonel Claiborn, with many remarkable passages of such State-policies as they and their creatures used; but will for a while forbeare to publish, as rather deserving this penjarring may cease; but if any of this rout shall any more disturbe the world (for us they cannot do) with their seeming self-sanctified lies, I will then not spare to acquaint the world what they are, and how they live, and give each of their Characters to open view, which now lyes masked under the hood of holinesse, and good disposition, in which I shall somewhat more largely answer Leonard Strongs Babylon's fall, the book of Virginia and Maryland, and other objections and allegations of theirs, being all full of impudence and ignorance.

But that Heamans should dare to write amazes me, knowing his imbecillity, his villainy, and therefore I shall in my answer to him, briefly and in his own tone anatomize and lay him open to the world a fool, to the State a knave, to God a notorious offender whose unfeigned repentance I cordially wish, and that his future portion of Grace may over-ballance his former talents of wit and honesty, in the want of which the poor man hath been too unhappy. But to the matter.

Roger Heamans gives a great account in his whole relation of his extraordinary vigilancy and diligence in managing of his charge, and the trust imposed on him by his owners, but omits to insert what a disordered Ship and Company he had, how mutinous and quarrelsome they were amongst themselves, and how upon every drunken bout they had, what Swords were drawn, what challenges made between the Seamen and their great Commander, insomuch that the Inhabitants observing their carriages, with derision and detestation reported of the fantasticknesse of Heamans and his rude ungoverned Ships Company.

The Insolence of these were such towards the Inhabitants, (observing the licentiousnesse of those parts) and taking occasion thereby, that they would sell commodities to whom they list, and lighting on greater prices, would of their own accords (after delivery made) repossesse themselves again, scoffing at any pretence of Law or Justice, saying (as it after proved too true) that their Ship was of force enough to awe the whole Countrey, inflicting punishments on the Planters, and robbing houses as they went, all which is sufficiently proved by Depositions already taken.

He relates how civilly he entreated Capt. Stone, formerly Governor Stone, who refused the title of Governour from him, informing him that one Captain Fuller was Governor of the Province, and intimates, that from that relation he bends to Fuller, as Governour ever after. How disconsonant to reason this is, let any judge that know reason, that know the passages, that know Capt Stones temper.

At such time as Bennet and Claiborn came into Maryland, and had compacted to take the Government out of the hands of Capt. Stone after he had notice of the power they had gathered, he likewise impowered himself for defence, and was in possibility to have cut Bennet and Claiborn and all off, but those few Papists that were in Maryland (for indeed they are but few) importunately perswaded Governour Stone not to fight, lest the cry against the Papists (if any hurt were done) would be so great, that many mischiefs would ensue, wholly referring themselves to the will of God, and the Lord Protectors determination; & although the Protestant party with indignation to be so fooled, submitted to what their Governour was perswaded to do, yet could not but complaine in that particular against the cowardize of the Papists.

After they had dispossest Governour Stone of his Authority, and had by promises to dis-bandon their party, perswaded him to do the like, they presented him with a draught for resignation under his hand, which when he refused, their whole party upon notice given, on a sudden returned, to the astonishment of himself, and affrightment of his wife and children, and required peremptorily to subscribe to what they had written, which he did, saying, it matters not what it is, I will being thus enforced, write what ye will have me, it cannot be binding nor valid; Lo here the observance of Bennet and Claibornes promises, and after this they would have impowered him as Governor from them, which with scorn he refused; nor did Governor Stone ever in his own esteem, nor in the eyes of those that had been faithfull to his Government, look on himself as lesse or otherwise than Governour, nor ever received other title, how be it he ceased to act until he heard further from England; yet in Heamans his hearing, and aboard that Ship which he calls himself Commander of, Governour Stone and Secretary Hatton both, had some words with Mr Preston the new-made Commander, complaining of their injurious assuming of the Government, and taking away the Records, threatening, that unlesse they would return them again, they would

compell them away—How then did he dis-own his Government? and for him to point to Fuller as Governour, had not only been base, but ridiculous; for neither Fuller himself (untill after their murtherous assasinations) nor the Commission he had from Bennet and Claiborn, did own or make him so; for after Governour Stone refused to deride or meddle with power from Bennet and Claiborn, they erect no Governour at all, but gave Commission to ten men, Fuller being first in that Commission, to be conservators of the peace, untill further orders; then how is Heamans relation true?

He next after some frivolous relations prosecutes his feigned narration of what his Governour Fuller (for untill Heamans made him one he was never any) had done in his absence, what Messages he had received frō his Governor, how obedient he was to the supreme command of Fuller how carefull to follow his Merchants businesses, and yet how charitable and relenting to those poor distressed souls that begged his assistance. Hear this O ye Heavens.

At such time as Capt. Samuel Tilman (a man ever to be honoured) arrived into Maryland, he repaired to Governor Stone, acquainting him, that the Lord Baltimore had not lost his Country as was bruted abroad, and brought him some instructions and certainties of his Highnesses owning him the said Stone for Governour, and when he was reproved by one Captain John Smith, the High Sheriff, for giving Captaine Stone the frequent appellation of Governour; he replyed, I must and shall own him and no other for Governour of these parts, for seeing my Lord Protector so stiles him, and by that title writes to him, I neither can nor dare call him otherwise, and his example is my warrant.

Upon this the said Smith (as a man affrighted) hies him home, repairs to Fuller and the rest, they treat with Heamans to assist their opposition, compound with him for a great quantity of Tobacco, and so prepare to oppose all power that should control theirs.

Governour Stone sent me, not knowing of the pact of Hea-

mans and the rest, to Patuxent to fetch the Records; I went unarmed amongst these Sons of Thunder, onely three or four to row me, and despite of all their braves of raising the Country, calling in his Servants to apprehend me, threatned me with the severity of their new made Law; my selfe alone seized and carried away the Records in defiance; at which time whatever Heamans pretends of compacts with Heathens and Papists to destroy them, Richard Preston their great but also quaking Commander, shewed me a Letter from Heamans, wherein he promised the Ship, Ammunition and Men, should be at their service if occasion were, and incouraged them not to think of yeelding to Governour Stone, nor any power from the Lord Baltamore, and this was the first discovery that ever was made by Governour Stone and not a man in armes, nor intended to be at that time, and yet before this, meerly upon Captaine Tilmans words, and their own jealousies, had Heamans confederated with, and hired himself to them, and yet this fellow must not onely justifie his Judas-like dealings, but as it were, challenge applause and merit.

After this myself again unarmed proclaimed a Proclamation amongst them, put in a new Commander in the face of the whole County met, who as a people overjoyed to return to their former just Government, as in their voluntary and humble Petitions, they presenting, acknowledged the Lord Protector as Supreme was prayed for, and Pardons were as freely consented to, as intreated for.

But those poor-oppressed souls of Severn, as Heamans stiles them, being of another temper and Country, and more remote, having Heamans and his Company their assured Ianizaries, rather choosing to lose their lives than their Lordings; sent peremtory Messengers to the Governour, (not such as Heamans relates and sets down) which we all here know to be invented, and rather kept and contrived to be published in England, than intended for their Governour, who zealously affected peace, and twice before had suffered himself rather to be fooled out of his Government, than to hazzard the shedding of blood.

But how comes it their little Agent Strong, nor the impudent Author of Virginia and Maryland, in either of their whisking Treatises mention these so specious propositions inserted in Heamans his works? Heamans you do it scurvily, and we shall yet further discover you. The joyning with Heathens, the plundering of houses, the intent to fire your Ship, the hiring of Abraham Hely and the horrid treacheries you load us with, will more particularly be questioned and answered in another place than here; we have your Book for evidence of your charge, we only fear you will turn Jack Lilburn, and put us to prove it to be yours, which if you do, we have other reckonings to put on your score.

You can in nothing deal truly, the Letter you pretend you received, myself writ, I procured another, now happily arrived, to transcribe it, which the Governour signed, the contents whereof were, That he had been informed upon sight of a Letter pretended to come from you, that you intended some disturbance in the Province, and had promised Mr. Preston the assistance of your Ship, Ammunition and Men, he rather conceived it was a forgery, and you abused, than that any such things really were, and hoped you came for a peaceable Trade, and to follow your imployers businesse, and not to meddle with the differences of the Country, promising you all encouragement and justice that could possibly be expected, and earnestly intreating that if you had any such resolution you would declare it, which had you done, and not treacherously coloured it over with promises to wait on the Governour, he had retired, no blood had been spilt.

The warrants you so croud in your Book, in the name of the Lord Protector, you imagine peradventure will bear you out, had you not been hired the jugling had been handsome, but now tis foolish, nor can any Rebellion ever bear bulk, unlesse it passe on in the name of Supreme Authority. For the Letter you pretend you writ, you confesse you did it by advice of your Severn imployers; yet in that you affirm a monstrous untruth in saying the Government setled in Cap^{t} Fuller was

since established by the Lord Protector, you shall by and by see how all such pretended powers are by his Highnesses absolute Commands null, but never be able nor no stickler of you all to prove any confirmation, had you had any such thing, although you talk much of it, you would have posted it and published it to the World in Capitall Letters.

You great Merchant Richard Owen, and his best penn'd Letter, if it be his, that ever came from him, was not a matter materiall for the presse, we knew him a year or two since a Planter of little credit, and now a very sorry Merchant, yet any stuff will serve such as yee are.

Concerning the firing of your Ship (I speak to the abused World, not to Heamans) he knows already what I writ is true that at tryall of the Governour and Councell, one Captain Findall upon examination did acknowledge that after Heamans Treachery to shoot at them, having discovered himself an enemy, he undantedly told them that himself, could he have compassed, would have fired his Ship.

But how prettily do they forget? Fuller he sayes informed him that Cap^{t} Stone intended to fire his Ship, and this dispute between the Hireling and the Master must be taken as a truth, and come likewise to the Presse, and yet Heamans and they bargained before: Here if it had been truth, you again shew yourself a fool, to ingage because Fuller affrighted you.

And why should Captain Stone think of firing your Ship, had you not been a declared enemy? or if he had such an intent, why did he by Letter addresse himself to you to stand Newter? before this addresse Fuller and yee fomented these jealousies amongst the people, which by that after addresse, was clearly manifest it was never intended, therefore being in its own reason only a fiction, wherefore did you print it? The cause of your Seaman Helies running away, I know not, but have been informed the Fellow was of an honest temper, and that your fantastick domineerings was the cause he rather chose to lose his voyage, than longer to continue under you. In your whole relation of commands and arguments between you and

your imployers, you so impudently juggle, that you raise both laughter and anger in me; I shall not swell this to descant on each frivolous passage.

The delivery of your Benefactors of Ann Arundel County, is indeed a demy-miracle as you deliver it, but let a true information be received, it will appear otherwise; first, to be treacherously dispersed and hurried a shore, as our men were by Heamans firing at them.

Next to be pursued by another vessel, commanding at a distance, and so seizing on our Boats, and Ammunition; what a great matter did ye? it is and hath been ordinary for a hundred men to surprise and take prisoners two hundred, but ye had more, ours not so many as I mention, and the difference was, ours came with a resolution rather to treat than fight, yours resolved to have the Government or nothing, and therefore would not suffer any Declaration to be published, but surprized the Messenger, and what was most monstrous, after free quarter given, to adjudge condemn and execute as ye did, yourself Heamans sitting in consultation, and being of their Counsell of War, and most active to have all executed, none reprieved, no not the Governor himself; it was the first time that ever Heamans had power of condemnation, and therefore thought to grow glorious by his unsampled severity. Take a little view of these oaths, and then judge of this, and these fellowes.

Henry Coursey, Nicholas Guyther, and Richard Willan of the Province of Maryland in America gent. make oath, that in or about the latter end of May in the year 1654, His Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, was by Captain William Stone the Lord Baltamores Governour of that Province, caused to be proclaimed in the head of the People there, they being then summoned in by Capt. Stone for that purpose; and the said Governor took orders with Captain Tilman and Mr. Bosworth, two Commanders of Ships, then trading in that Province, to shoot off several peeces of Ordnance

from their respective Ships, in honour of that Solemnity. And they further depose that in the Moneth of July then next following, Mr. Richard Bennet (the then Governour of Virginia and Colonel William Claiborn the then Secretary thereof, came from Virginia to Patuxent River in the said Province of Maryland, and there entertained as Souldiers the Inhabitants of the said River, with those of Ann Arundel, otherwise by them called Providence as also the Inhabitants of the Isle of Kent within the said Province, and so forced the said Captain Stone to resign his Government. And the said Deponent Henry Coursey further saith, that the said Bennet and Claiborn afterwards forced the said Governour to set his hand to a Writing, the Contents whereof as this Deponent doth remember was, That he should not meddle with the resuming of the Government in the Lord Baltamores behalf. And all the said Deponents further say, that the said Bennet & Claiborn then seized upon the records of the said Province, & put them into the possession of one Captain William Fuller, Mr. Richard Preston and William Durand; and the Deponent Hen: Coursey saith, That in March last, the said Captain Stone sent up to the said Inhabitants of Ann Arundel one Mr. Luke Barber and the said Deponent Henry Coursey with a Proclamation to require the Inhabitants there to yeeld obedience to the Lord Baltamores Officers, under his Highnesse the Lord Protector; and that when the said Mr. Barber and this Deponent Henry Coursey came thither they found the people there all in arms, and the said Fuller would not suffer this Deponent to read the said Proclamation, and so refusing to give any obedience thereunto, the said Mr. Barber and this Deponent were dismissed, but suddenly after (before conveniently they could get away) were taken prisoners by that party, whereby the said Governour Captain Stone was prevented of any answer, whereupon he proceeded to come up with what force he had into the River, called by some Severn, where these people lived: And all these Deponents say, That when the said Captain Stone came into the said River, there was one Captain Roger Heamans with a

great Ship called the *Golden Lion* whereof he was Commander who presently shot at Captain Stones Boats as they passed by him; And the said Guyther and Willan do further depose, That the said Captain Stone (to avoid the said shot) went into a Crcek in the said River, where one Mr. Cuts with another Ship (whereof he was Master, blocked up the mouth thereof, and upon any discovery forced there Ordnance at the said Captain Stone and his party, until such time as the said Inhabitants of Ann Arundel had transported themsclves over the River, unto the said Captain Stone and his party; where after some dispute, the Governour (finding himself over-powered) ycelded upon quarter, whereupon he and most of his party werc transported over the River to a Fort at Ann Arundel, where they were all kept prisoners, and about three dayes after, the said Captain Fuller, William Burgess, Richard Evans, Leo: Strong, William Durand, the said Roger Heamans, John Brown, John Cuts, Richard Smith, one Thomas, and one Bestone, Samson Warren, Thomas Meares, and one Crouch, sat as in a Councel of War, and there condemned the said Governour Captain Stone, Colonel John Price, Mr. Job Chandler, Mr. William Eltonhead, Mr. Robert Clerk, the said Deponent Nicholas Guyther, Captain William Evans, Captain William Lewis, Mr. John Legat, and John Pedro to dye, whereof they executed Mr. William Eltonhead, Captain William Lewis, Mr. John Legat, and John Pedro, the rest being preserved at the request of the Souldiers and Women belonging to the said party at Ann Arundel after which execution, the common souldiers that did belong to the said Captain Stone, werc sent away to their severall homes, but the Officers and the said Messengers were detained longer, and at the discharging of the said Deponents Henry Coursey and Nicholas Guyther, the pretended Councel of War imposed an oath upon them, That they should not write into England to give the Lord Baltamore any information of their proceedings; and not long after they sequestered all the Estates of those of the Lord Baltamores Councel and Officers there; and the said Henry Coursey further

deposeth, That he was present when Mr. William Eltonhead desired to be allowed an appeale to His Highnesse the Lord Protector in England, but it was refused him by the said pretended Councel of War at Ann Arundel; And the said Deponents Henry Coursey and Nicholas Guyther do further depose, that a little before the sending of the Proclamation before mentioned, to the people at Ann Arundel, they heard the said Captain Stone declare unto certain Messengers whom these people had sent unto him, that if the said people, who he understood were in arms, would repaire unto their severall homes, and submit themselves unto the former established Government under the Lord Baltamore, which did acknowledge His Highnesse the Lord Protector as Sovereign Lord, he would not offer any violence to them, or do them any prejudice, either in their persons or estates, or words to the very same effect; And the Deponent Richard Willan doth also further depose, That about the time when the said Luke Barber and Henry Coursey went with the said Proclamation above mentioned, he heard the said Captain Stone command that none of his party should rob or plunder upon pain of death.

Henry Coursey
Nicholas Guyther
Richard Willan

Sworn all three the second day of July 1655 before me Na. Hobart, a Master of the Chancery in ordinary.

Now may the Reader throughly understand their Religion, their humanity, their usage of His Highnesses name, and to what purpose, not to act further by it than shall conduce to their own ends; they will, they say, be subordinate to no power but to the Lord Protector, and yet deny appeales to His Highnesse, rejecting His Highnesses Commands, breath out vants, that if His Highnesse will not own their actings, they will not take notice of what comes from him. They imprisoned, fined,

and hardly forbore to have executed Doctor Luke Barber, notwithstanding he brought in a Letter from His Highnesse, directed to Captain William Stone Governour for the Lord Baltamore of his Province of Maryland, intimating thus, That the Bearer hereof Luke Gardner, having been one of his Domestick Servants, was intended to remove himself and family into Maryland, and therefore he intreated him to shew him for his sake, what lawfull favour and assistance he could, signing it

Oliver P.
and under His Highnesses Signet.

This was pretended a forgery, and Mr. Barber put to prove it to be the Lord Protectors, but he must prove it in their place, no appeale could lie good, and the Gentleman as I have often heard him protest, was so over-awed that at last he durst not affirmatively maintain it came from His Highnesse but answered doubtfully and distractedly. A strange impudence when a Mandate so sacred as under His Highnesses Hand and Seal, must not only be disputed, but to require a further evidence then himself, witnessing what shall issue out from himself, this is the greatest spurning against, and overthrowing Authority that ever was heard of or suffered.

His Highnesse having notice of the proceedings of Bennet Claiborn and these people, notwithstanding the sweet Letter he sent to Bennet requiring him to cherish peace in the Plantations; now further declares himself as followeth—

Sir

Whereas the difference betwixt the Lord Baltamore and the Inhabitants of Virginia concerning the bounds respectively claimed, are depending before us and our Councel, and yet undetermined, and that as we are credibly informed, you have notwithstanding gone into his Plantation in Maryland and countenanced some people there, in opposing the Lord Baltamores Officers; therefore for preventing of disturbances or tumults, we do will and require you, and all others deriving

Authority from you, to forbear disturbing the Lord Baltamore or his Officers and people in Maryland, and to permit all things to remain as they were there, before any disturbance or alteration made by you or any other, upon pretence of authority from you, till the said difference above mentioned be determined by us here, and that we give you further order therein: we rest

Your Loving Friend

Signed OLIVER P.

To Richard Bennet esq
Governour of Virginia

These
White-Hall, Jan. 12 1654
Copia Vera, Examinatur
per Will. Malin.

By this it appears how great care hath been by His Highnesse used to prevent blood-shed, yet nothing will prevaile, and although by this it appeares that Bennets pretended power ceased, and any derived from him, yet will not Leo. Strong the Munkie-Agent of Providence (as he calls himselfe) cease to be an Agent, but will justle this high command and revocation; he preadventure at last will pretend his deafnesse, that he never heard it, but cannot alleage blindnesse, for he had and shall again see what it is.

Were not their actions very justifiable when they shold keep men in prison untill they should submit to an Oath imposed on them, never to write for England or to the Lord Baltamore, what had been done? and suffer none to depart for England but what got away by stealth? myself being proscribed by Proclamation, and a great reward for him that should bring in my head, yet was I never in armes, nor never was an Instigator against any of them in all those hurliburlies—We have many authentick testimonies discovering all their actions and proceedings, which are too voluminous to be inserted into an answer to such an Ideot as the Commander of the *Golden Lion;*

we hereby endeavour to give onely a hint that Heamans hath abused the World with his Pamphlet, not a sillable whereof is truth; how he hath deluded his owners with pretence of his care; how he hath spurned at and belied the Supreme Authority; how he hath intruded himself without any lawfull call, into the Seat of Justice, and there acted the part of a bloody and aggravating Murtherer, condemning Innocents and trampling on the souls of them he hath betrayed to death, for without his combination, nothing of this had happened, and ourselves had without rigor without bloodshed, compelled Obedience to the Supreme Command of His Highnesse under the Lord Baltamore whom we with all solemnity proclaimed, and under whose protection we rejoyced, as our Sovereign Lord; issuing out generall Pardons in commemoration of that great and happy Solemnity.

And therefore we do and shall justly charge this Heamans with all the blood spilt in our Province, as the immediate author, with all the ruines, the banishments, the sequestrations of Estates, and the heart breaking griefs he hath yeelded our Wifes and Children, to whom if ever we return again, it is through many dangers and hazzards.

For the cry of Hey for St. Maries, hey for two wives if any rude Souldiers in those or any other termes were abusive, it must not colour your machination, it proceeded by no order of the Governours, nor from the mouthes of any of quality, themselves were civill and atractive, nor was ever any party afoot without some absurd expression, or disordered language; but these are weak flourishes, and will only bear you out in weak esteemes.

Your observation of Captain Stones dejection, and his renunciation of the Lord Baltamore, the dead-heartedness of the Prisoners, being onely affirmed by yourself, is of as little credit as any thing else you have related; nor are you and your compacted theevish Ships company to be evidences one for another, and no better than Theeves and Murtherers, to justific you you have none; the religious rejoycing you mention, is no

otherwise than such prayers and rejoycings as Theeves and Gamesters at or after their enterprises use, and as acceptable to God; but seeing Heamans was a Judge to condemn, and now is become a Writer, I shall no longer dwell on Heamans papers, I shall conclude with that fearfull wo denounced by the Prophet Isaiah, against such as you are,

Isa. 10-v-1 Wo unto them that decree wicked decrees, and write grievous things,

Verse 2. To keep back the poor from judgement, and to take away the judgment of the poor of my people; that widows may be their prey, and that they may spoil the fatherlesse.

Finis

NEW LIGHT ON MARYLAND HISTORY FROM THE BRITISH ARCHIVES.

BERNARD C. STEINER.

The Library of Congress has recently caused the transcription of a number of the manuscript records found in England relating to American History and among these transcripts I have found some interesting facts relating to two periods in the history of Maryland, namely: the first settlement of the Province, and the Revolutionary War.

As to the earlier of these periods, we gain considerable light upon the voyage of the *Ark* and the *Dove,* through six suits brought in the Admiralty Court by or against Lord Baltimore and his associates, with reference to these vessels. Three of the suits had to do with the provisioning of the expedition and the other three with the wages of the commander of the *Dove.* I have found no record of the final decisions of the suits but the bills of complaint and answers are sufficient to yield much information.

On May 16, 1634, a certain Jones sued Baltimore for £309. 14. 6, to pay him for 4 1/2 tuns of canary wine at £29 per tun; 4 sakers, a kind of small cannon, weighing 99 cwt. 1 qr., at 14 shillings per cwt.; and 4 demiculverins, larger cannon, weighing 118 cwt., at the same price. One wonders whether the cannon recently set up on State House hill at Annapolis is a part of this armament.

A little later, on June 2 and on July 5, 1634, one Leonard entered suit, alleging that he had furnished the expedition with 15 barrels of small beer, costing £3 in all, and beer valued at £6. 19. 0., in the harbor; while, for the voyage and the plantation, the vessels carried 64 tuns of beer at £3 per tun, 66 tuns at 48 shillings, and 64 tuns at 40 shillings, making 194 tuns in all, so that Leonard's total bill amounted to £608. 15. 0.

One marvels that there was room for any other equipment on the vessels and gains a stronger idea of the amount of malt liquors our predecessors consumed, and of the reasons which led Lord Arundel to give his son-in-law, Lord Baltimore, the Manor of Semley in Wiltshire, for love of that son-in-law, who had "weak fortunes, in that he had sunk himself in a plantation."

Richard Orchard, master of the pinnace *Dove,* sued Leonard Calvert, Jeremiah Hawley, Thomas Cornwallis and John Saunders, on February 5, 1635/6, upon his return to England, and, about two months later, on April 1, 1636, entered suit against Cecil, Lord Baltimore, who brought counter-suit in his turn. In the suit against Baltimore we find that Baltimore asserted that Orchard had contracted to obey Baltimore's directions on the voyage and to return to London, while no payment of wages was to be made until the end of 12 months, or of the completed voyage. If the voyage lasted for more than 12 months, payment should partly be made then and the rest on the return. Baltimore alleged that Orchard and the crew entered not into his service until November 22, 1633, the Friday on which the expedition left Cowes for America, and that payment had been made Orchard in Virginia.

From the suits brought by Orchard against Leonard Calvert

and others, we learn that they contracted, on September 30, 1633, with Orchard to hire his men and pay them fixed wages, and that, if the voyage were not finished within 12 months, the part of the wages due should be paid at that time. Orchard entered into full pay with them, on October 16, 1633, doubtless the day on which the *Dove* left London, and continued until November 19, 1634. The master's wages were to be £4 per month; while Samuel Lawson, the mate, should receive £2. 10; Richard Kenton, the boatswain, £1. 2; John Gainas, the gunner, £1.2; John Carle, a sailor, £1; and Michael Pirrie, the master's servant, a boy, 10 shillings. Orchard was also permitted to have the transportation of a boy free in that voyage, a privilege worth 6 shillings. The *Dove* was instructed to use its best endeavor to keep company with the *Ark,* but, in case the vessels should be parted by tempest or any other accident, Orchard should go to St. Kitts and await the *Ark* there. A storm, as we know, did separate the *Ark* from the *Dove* and Orchard, driven back to the Scilly Isles "by contrary winds or foul weather," went on, in convoy of the *Dragon,* to Barbadoes, a more southerly island, as Leonard Calvert alleged, to "accommodate and follow his occasions, to seek or look after the recovery of a debt or debts which were due unto him there." The *Ark* reached Barbadoes before the *Dove* and waited for it a week there. After leaving Barbadoes, the *Dove* again parted company with the *Ark* and tarried a few days at Montserrat and Nevis and, being chased by a Spanish frigate, was in danger of capture.

After the arrival in Maryland and the settlement there, Governor Calvert ordered the *Dove,* in June, 1634, to go to Massachusetts, trade for fish and other commodities, and return with all speed. Orchard did not arrive in Boston harbor, until August 29, and remained there until October. Leonard Calvert maintained that, if Orchard had shown diligence, he could have gone and come in 7 or 8 weeks, but he "so neglected and followed his own pleasures and occasions that he took 3 or 4 months and then returned to Virginia and this prevented his

finishing matters in a year." On Orchard's return to Virginia, in November, 1634, he found there Calvert and Hawley, "two of the said Lord Baltimore partners." On Wednesday, the 19th of that month, they came on board the pinnace and said they intended to pass therein to Maryland. Orchard, in what they thought a "mutinous and insolent manner," told them that he would not go and the "pinnace should not budge from thence, till he was satisfied for his wages." "Baltimore's partners," as they call themselves in their answer, had plantations in Maryland and told Orchard that, if he would carry the pinnace to Maryland, "where their means of estate lay, which is not above 2 or 3 days sail, being but 30 leagues or thereabouts," they would pay him all his wages due unto him and his company and entreated him to forbear, until his arrival at Maryland, for their wages and to stay in the ship, for that "there would be no body left to rule or govern the said ship, or to carry her to Maryland." This entreaty was of no avail; Orchard, Gainas, and Perry took the boats and went ashore and Kenton left on the next day. None of them returned until Saturday, the 22nd. Orchard maintained that he paid the mariners part or all of what was due them and that, after he demanded pay from Calvert and was refused by him, he went to the Governor and Council of Virginia with his complaint and that they heard the matter and ordered Orchard and his company to be paid. No payment was made, however, and Orchard claimed £200 as damages. While Orchard was absent from the *Dove,* a great storm and tempest arose and the vessel was in grave danger, according to Governor Calvert. From the same source, we learn that, on the 22nd, Orchard, with his company and divers others, did "riotously enter" into the *Dove* and carried themselves in a "very mutinous and braving manner towards her said commanders and, in contempt of them, said he and his company would keep possession" of the *Dove* for their wages. During all the voyage, he had acted "very insolently, quarrelsomely, and rudely, and did wastefully consume the said pinnace's victuals and commit divers outrages and misdemeanors

during said voyage." Immediately after this last outburst, Orchard and all his company forsook the *Dove* and "went clear away" and would not "carry her to Maryland." Calvert and Hawley "were enforced and, with much ado and great expenses, did get other mariners to carry them in the said pinnace to Maryland and the said other mariners would not carry the said pinnace further than Maryland, but the said commissioners were enforced to leave her there, when they came away, together with divers merchandise and goods of great value, for want of mariners to carry the *Dove* for England," so that Baltimore suffered £1000 damages.

These papers add interesting information to that previously gathered by me in my "Beginnings of Maryland" and the other papers, from the correspondence of Governor Horatio Sharpe, throw light on some of the persons referred to in my biographical sketch of Governor Robert Eden, last Proprietary Governor and First Baronet of Maryland.

The first of these letters, dated May 27, 1771, is from Governor Sharpe, himself, when he was living in retirement at his fine country place of Whitehall near Annapolis, and is addressed to the Governor's brother, Phillip, who was living in London. The former Governor found his exercise and his "principal amusement" in walking about his farm and garden and enjoyed fine health, because of the climate. In the spring, he had spent a week in Virginia, where there was no governor, and where "I think the people are as easily pleased as any in his majesty's dominions." The repeal of the Townshend Acts "seems to have pretty well pacified the Americans, but, during the non-importation agreement, many applied themselves to manufacturing and will, I believe, persevere." Sharpe had heard from Lord Baltimore, but did not know where to address a reply, and is glad he does not have to write to Hammersly, the Proprietary's secretary, any more. Jordan is scarcely able to crawl about and, if Baltimore expected any service from him, "he must be plaguily disappointed." The manor, which he got from Baltimore for £4000, he recently sold for £12,000.

At Bath or Tunbridge during the summer, Philip Sharpe will probably meet Mr. Carroll and wife, who hope to receive benefit from the waters. "He is a gentleman I visit," Governor Sharpe wrote, "and whom I wish very well."

Affairs in Maryland remain "in pretty much the same state." Governor Eden "has not as yet met with much to please or disgust him, but I think he is hardly as happy as he expected to be, and that a different kind of life would be more to his taste. We continue our good understanding and visit without ceremony."

The next letter, from Thomas Ringgold in Chestertown, on August 4, 1773, is in reference to an application by him to Baltimore's executors for a land grant on the Conococheague. Shortly afterwards, Sharpe went to England, never to return as far as I know, and thither Thomas Jennings wrote him from Annapolis on April 28, 1774, congratulating him on his safe arrival in Europe. "Our Assembly is just broke up, after sitting a long time and doing very little as usual. There is a schism amongst the Patriots. Hall and young Hammond are as violent in their opposition to Chase, Johnson, and Paca, as the latter ever were to the measures of government. Their differences have arose so high that the 3 last mentioned gentlemen have resolved to appear no more in the assembly and have, I believe, applied to the Governor for coroners' places to vacate their seats. You may remember, when Hammond opposed A. Steuart, Chase gave out that he could carry a broomstick against a courtier, which has since occasioned some witticisms here, among others that Hammond has put the broom to the stick and fairly swept them all out of the house."

The Rev. David Love, an Anglican clergyman, occupying a Maryland parish in ———— County, wrote the first of several letters extant from him to Sharpe, on May 23, 1774. Love stated that he never interfered in legislative squabbles and though chaplain of the Lower House he never stayed after prayers were over to hear a single debate, even when the clergy bill was "in agitation." The salary is now fixed at 4 shillings

for each taxable person for 12 years. "This law has happily allayed that spirit of wrangling and debate, which so long prevailed. . . About half of the clergy gains by this new regulation. . . I shall not receive for my 1000 taxables near so much. . . I gladly sacrificed my private interest to the public good, from a conviction that nothing but the law of last session could restore peace to the Province." Therefore, both Love and Rev. John Montgomery asked Jenifer to vote for the bill. Love spoke also to Dulany and Stewart, who were councillors, in favor of it. Dulany said that "the 4/ may be a good succedaneum for the present, but 12 years is a long term and your case is particularly hard." Love answered, "It is so, but lay my case aside and consider only the public utility. You may now compose all our disturbances. Therefore, let not my case prevent an amicable settlement. If this opportunity be lost, it may perhaps be remembered hereafter with regret."

Love further had instructed the sheriff to return two shillings to those who had paid five for the last two years, but continues an action he had begun against a certain Chapman to prove the validity of the old law. He writes of N. Anderson's death at Ridout's of a "consumptive disorder" and of his own expectation to remove soon into the repaired glebe house.

Two days later, Love wrote Sharpe a second letter, telling of Montgomery's request that Love join in an address to Governor Eden, thanking him for his regard to the clergy, vindicating his motives in signing the act, and reminding him of his promise to use his influence for the repeal of the new law. Eden himself had furnished Montgomery with these heads, in consequence of letters from Lord Dartmouth and the Bishop of London; but Love refused to sign the address, for he did not know Eden's motives in signing the bill; thought that reminding him of a promise was indecent, and did not want the repeal of a law for which both Montgomery and Love had asked Jenifer to vote. On the other hand, Love offered to draw up an address of best wishes for Eden, on the occasion of his approaching departure for England, and of hope for his return.

Montgomery replied that Eden wished no address, which should not particularly express desire for an appeal. Love added that Jenifer thought his position right, and he had talked with many clergymen, who expressed an inclination to acquiesce in the law and an aversion to measures which must have a tendency to renew disturbances.

When Eden sailed, he carried with him an address to Sharpe at the Purveyor's, Chelsea College, London, dated July 7, 1774, signed by Joshua Beall, T. Ware, and Rezin Beall asking for lands under the proclamation of 1763 and representing the evasions of Lord Dunmore in the matter, with the request that Sharpe present this to the proper authority.

A year later, on August 30, 1775, G. Milligan wrote Sharpe from Bohemia to tell him that the latter's mare, which was too lame for aught but breeding and could not race in any case, since all sport was now forbid by law, had a "fine horse colt by Lofty" and was now bred to "Young Traveller, Col. Lloyd's horse, that run in Virginia, out of his mare, Nancy Bywell, by Old Traveller." Milligan recently spent two days in Annapolis and visited Whitehall, where he found all well. Christie, who had been banished from the Province and lost money, is the carrier of the letter and will tell Sharpe of the events. "It is not now the fashion to say anything of politics in a letter and was I to give you any tolerable description of the strange scenes of riot, confusion, mock patriotism, madness, and folly that daily happens in most parts of this continent it would far exceed the bounds of 20 letters."

Love sent Sharpe the Journal of the Provincial Convention, enclosed in a letter of September 15, 1775. He refused to sign the Association, since he thought it would be wrong to do so, although most of his friends advised him to sign it. Many loyalists, such as Addison, Allen, Boucher, and Edmiston had left the country, rather than sign.

Four months subsequently, Love wrote again on January 29, 1776: "Unhappy disputes have risen to a fearful height" and this is the last letter which Love can send. "I keep retired

and visit only such of my acquaintances as can pass a few hours without political altercation." His study, his parish, and his garden occupy him. Chalmers, who was prosecutor in Harford County and had a good share of practice, has gone home to England. Love hoped Sharpe would return to Maryland. For himself, "by bark and exercise, in spite of the unhealthy situation and an uncommonly wet and sickly season," he escaped the intermittent fever last year, but feared the next season, when a fresh supply of the quinine bark can not be obtained. He hoped for a new living in the Province. After all, he had signed the Association, since Governor Eden told him that, as "he knew my principles and government could not, at present, protect me, he would take care that my signing did not turn out to my disadvantage." On the day before Love's brother sailed, Governor Eden dined on board his vessel and said that Captain Eden would give that brother a ship. There was a great stagnation of trade in Maryland.

Mr. Dick brings Love Annapolis news every Saturday. "Our difference in sentiment in political matters makes not the least change in other respects, so that we live in agreeable intimacy." He was then in Baltimore, as a member of the Committee of Safety and told Love that he intended to write Sharpe soon.

Governor Eden's departure for England gave Love an opportunity to send Sharpe by him a letter, written on the 7th June at Londontown, in which Love sends Mr. Dick's remembrance and tells Sharpe that Jenifer is spending most of his time in Annapolis as a member of the Committee of Safety, but intends to send Sharpe a letter by Governor Eden's means. Love proposes to sow his young orchard of 3 acres in wheat, and adds: "I study to do my duty as usual and to give no offence, so live in peace with all around me, which, in our present circumstances, is no small comfort. Indeed, throughout this neighborhood in general, we live on as good terms among ourselves as anywhere, I believe, in the Province. So agreeable a situation at this critical period, I often reflect

on with pleasure, and, gladly take every occasion of expressing my gratitude on that account, where it is so justly due. I now spend more time in reading and study than ever before, because I think it prudent to shun all mixed company at musterfields or elsewhere. This is, in a manner, banishing myself from society; but acting with caution can never be attended with hurt. Upon this principle, I judged it prudent to decline accepting a commission from our Council of Safety to be chaplain to the battalion quartered at Annapolis. I had also other reasons of sufficient weight." He will not become a party man, and feels the Association is inconsistent with the resolve which exempts clergymen from bearing arms and, further, contradicts the oath of allegiance. Love will not desert his post, in which Sharpe had placed him, but will "do the duty of my parish as usual, and behave, in a time of such difficulty, with greater circumspection." There was a great stagnation in trade and, when he recently visited his brother in Baltimore, he found wheat down to 3/6, so that the farmers complain and threaten to mob the merchants. Dr. Stephenson lives at Deer Park. Love still hoped for peace and had declined to take passage home, because of his dread of seasickness and of the uncertainty of obtaining a living in England.

Our last letter from Love is dated November 1, 1779, and was sent Sharpe by the kindness of Mr. R. Johnston. Love wrote of Dr. Stephenson at Deer Park, of Ridout and his wife, who sometimes visit Milligan, and continued: "My health, for the past year and half, has been very indifferent. About that time, on account of my adhering to former attachments and refusing to qualify under the present test, I was obliged to leave my house, sell my furniture, &c. and have since been a wanderer and a vagabond, without home or habitation, besides paying a treble tax for what I formerly possessed, which this year amounts to £162. But no degree of suffering shall induce me to forsake my principles. I trust in God a change will come in his time, for which I wait with patience and submission. Whatever my circumstances are, I reflect with satisfaction the obligations I owe to your generosity."

So Love passes from our view. Sharpe's friend, Milligan, wrote him on May 12, 1779, introducing his son who was bound for London to study law at the Temple. "Your mare, the Maid of the Mill," Milligan said, "Mr. Ridout has carried back to the mill, where I hope she will breed more successfully, as she has only had two colts; one more than tolerable, the other yet bad, though both by high bred horses; the first by an imported horse and the other by a Traveller out of Col. Lloyd's running mare by Old Traveller."

"Although no friend you left here more ardently wishes your return, yet I hope it will not be, till you can bring better times with you. In such as the present, you are much better where you are, where, though some things may vex, many please and where you can have society not too much devoted to party which you would be difficulted to find here at persent; but I hope you will do me the justice to believe that no party, time, or times has altered me from being most affectionately yours."

We next hear of Governor Sharpe in 1783, when by order of Major Jenifer, he sent grass seed to Maryland with directions as to the growing of Burnet rye grass, trefoil, rib grass and saint foin.

The correspondence transcribed closes with a brief note from Sharpe to Dr. Upton Scott in 1786 and a longer one from Dr. Scott to Governor Sharpe, written on March 17, 1786, advising Sharpe to speculate "in our government securities," rather "than in purchasing lands and negroes," as "the large importations of European goods have drained off most of the gold and silver." Scott had six venison hams from Fort Cumberland for Sharpe, but had not found any bear hams. Mrs. Scott and Mrs. Maynadier sent enclosed receipts for dressing calves heads and making catfish soup. Scott wrote of his impaired health. He had spent the winter in Annapolis but feared that his "resources will not admit continued residence in town."

"Our Assembly, after spending four months in warm bickerings, broke up last week. A vigorous attempt was made to remove the seat of government to Baltimore town and, although

this miscarried, we are not free from apprehensions that at some future session the measure may be adopted. In the meantime, it has been determined upon to build a college on the ground formerly laid off for the residence of the governor."

CATHOLIC CLERGY IN MARYLAND.

[The following letter—copied by Henry F. Thompson, Esq., by the permission of the Rev. Father Rymer, from the original in the archives of the Brotherhood of the Secular Clergy—was written by the Rev. George Gage, Archdeacon of London and Middlesex, and afterwards Vicar-General, to the Rev. Richard Smith, Bishop of Chalcedon, the Superior of the Catholic clergy in England and Scotland. "Count Rosetty" was Mons. Rosetti, Papal Nuncio in Belgium. This complicated matter is discussed in the Rev. Thomas Hughes' *Society of Jesus in N. America.* Father Gage's *alias* was Francis Hoard; hence the signature.]

July 21, 1642.

Most Rd father in God

It is not unknown to your Lordship how the clergy hath been solicited heere about sending a mission unto Maryland; wherunto they gave little care untill they had first maturely consulted the businesse and obtained your Lordships good likeing thereof: In briefe facultyes were obteyned from Rome with reference to count Rosetty for approving the Persons of those that the clergy should recommend for that purpose: and by our cheife frends advise in court it was admonished that mr. Jones should recomend unto the Count him that was thought fit to bee superiour of that mission; all which was punctually performed: and whereas the Lord of that Province now calls uppon us for our men, wee have in ence of the Counts answere; whoe for 2 monthes hath delayd and returned noe answere at all to severall lẽrs of mr. Bensons, our frends in court, and myne, all importuning him for his speedy answere to confirme and approove of Mr: Gilmett for that purpose: and whereas wee went on bona fide, makeing noe doubt of his grant-

ing our desires, the matter beeing as by the facultyes appeare wholly in his powre: now that the Ships are ready to goe with in 6 weeks from hence, our 3 men prepared for the journey and 6 or 7 familyes resolved to accompany Mr: Gilmett thether in pure zeale to that apostolical man, resolving to sett up theyr rests wher hee imployes his spiritual labours: It is come to that poynt that wee must eyther damnify notoriously the temporall estate of that Lord by depriving him of soe considerable an addition to his plantation as 6 or 7 familyes would make thereunto, (not one whereof will goe with out Mr. Gilmett) or else goe thether in vertue only of our owne facultyes, because the Count will not conferr the newe uppon any of ours indeavours who use all meanes possible not only to oppose the going thether which wee conceive to proceed out of the So^{ya} clergy in this businesse, but even to suppresse and keep under the Temporal Lord of that Province that they may then have the more absolute rule and powre.

These are therefore humbly to beseech your Lordship to lett us know immediately your opinion whether wee may not in vertue of our owne facultyes goe thether and exercise the same over such subiects of our nation as shall ther voluntarily require our assistance in their spiritualty; wherein most of our brethren heere conceive no manner of doubt more then in exercising the same facultyes at home. first because there are noe Bishops ther, secondly because our facultyes extend to all his mãtyes dominions, how ever ther are noe more named then England etcet: thirdly beecause if his mãty should goe with an army and conquer absolutely any nation ther could be noe doubt but the preists of that army might in vertue of the facultyes they have already without the grant of any newe, both heare the confessions of all the soules in that army how ever they wer out of England; and also reconcile to god as many of that other conquered nation as they could. nor is the case in question different only that heere his mãty hath acquired a peaceable possession without armies, and thereby extended his dominions! whether wee see noe difficulty why the clergy beeing

called uppon may not (without special recourse to Rome or license thence) goe and exercise theyr functions setting aside the temporal motive they now have in this particular circumstance of beeing a meanes notably to advance the temporality of that Lord by going, and notably to damnify him temporally if they goe not, after so long an invitation, and so profitable a preparation bona fide made by them of his advancement, presuming ther could be noe difficulty in having men approved for the use of those facultyes which were graunted for a mission intended thether by His Holinesse of Secular Preists and now hindered by underhand practises of the So^{y}:

If therefore your Lordship please to approove heerof it is the clergyes humble sute at the instance of the Lord of that province, that you will vouchsafe your license to such of our brethren as are ready & willing to [go] thether, mainly to Mr Gilmett as Superiour and 2 more such as hee shall best like of out of 7 or 8 proposed unto him for his assistance in this service. and your Lordship is humbly desired to doe this with all speed possible because the ships are very shortly going home and those that are to go had need of all the time remayning to take leave of theyr frends heere, and to accomodate themselves for that voyage—

And many of our brethren are of opinion that when the Count sees the clergy is gon thither with their owne facultyes independent of him; he will soone send them order to exercise the newe ones and approove of such men for the use thereof as wee shall have sent thether: because it will bee more for his honor to have us ther dependent of him than independent; and it seemes (with men carryed agaynst us by the suggestions of our adversaryes) wee must rather use our owne right as farr as we may, then sett expecting grace and favour from them which wee stand not in need of; insoemuch that many are of opinion it had been better for us never to have asked any newe facultyes at all but to have gon thether (being called to the harvest of our owne nation) in vertue of our owne facultyes. And indeed it seemes hard that the soules ther must bee limited only to

[the] So^{y}: for theyre confessors, wheras over all the woorld people have liberty to choose what confessors they please. besides the case is ther very special in regard the Governors find the So^{y}: to oppose them openly even in matters of temporalityes and soe find it a kind of Tyrrany to bee obliged to use only them for government of theyr soules whoe in Temporalibus are at variance with them.

Thus your Lordship sees the whole state of this affayre. please I beseech you to oblige the Temporal Lord of that province (whoe yet dares not write himself in his owne affaire) and your humble servants the clergy heere by your speedy resolution herein: the rest is the thrice humble duty of my Lord

Your most Rd Lordships most
humble and devoted Servant

July 21
1642 F. H.

The enclosed comes I know not whence but sure it is for your Lordship.

[Addressed] For my most Honored good Lord etct.

[Endorsed] Gage about Marieland.

BALTIMORE'S DECLARATION TO THE LORDS COMMISSIONERS.

To the Right Hono^{ble} the Lords Comissioners for forreigne Plantations.

The humble Declaration of the Lord Baltemores proceedings in the procuring & passing of his Pattent of the Province of Maryland adioyning to Virginea, and of seuerall vniust molestations which some of the old dissolued Company of Virginea haue giuen him both before & since, to his great preiudice.

The L: Baltemores ffather having disbursed neare 20000£ besides the hazard of his own person in a Plantacon in Newfoundland, a Countrey proving not habitable for the great colds in winter, And having thervpon transported himself, his wife, goods and family to Virginea wth intent to plant and reside there, where he had been an Adventurer, did for that purpose leaue his family there, and vpon his arriuall in England, became an humble Sutor to his Ma^{tie} for that part of Virginea w^{ch} lyeth between the Riuer of Passamagnus and the p^{r}sent Plantacon of Virginea on James Riuer towards the South. The 20th of Feb. 1631, his Ma^{ty} referred the consideracon thereof to the right hono^{ble} the Earles of Dorsett & Carlisle, the Lo: Viscount Wentworth and the Lo: Cottington, or any three of them and their said L^{ops} having well weighed the said request, did 23 of Feb. 1631 signifie his Ma^{ties} pleasure to M^{r} Attorney Generall that then was, for drawing a Bill conteyning such a Grant to him and his heires, w^{ch} was so done by M^{r} Attorney, and his Ma^{ty} signed the same.

The matter being thus farr proceeded some of the old dissolued Company of Adventurers to Virginea, seeming discontented therewith, pretending that some of them the next yeare after determined to settle people on the South side of James Riuer, for the planting of Sugars, it being the most southerly and best part of all Virginea, and no other but that fitt for that purpose, and that

this Grant would much p^r^iudice them in this their designe, w^th^ the late Lo: Baltemore conceauing they did really intend, was vnwilling to hinder so good a worke, or to disgust them or any other, as farr as in reason was fitt, though it were to his owne p^r^iudice; and therefore vpon his humble sute, his Ma^ty^ tooke the matter againe into consideracō, and made a new reference to the Earles of Arundell & Carlile, the Lo: Viscount Wentworth and Lo: Cottington, who considered not only of the said pretences, but also of the late incroachment of the Dutch nation in those parts, who haue planted and fortifyed themselves northward between the old Colony of Virginea, and the English Colonie planted in New England. All w^ch^ being by their said Lo^ps^ represented to his Ma^ty^, they did (according to his Ma^ty^ direccōs) by a Warrant vnder their hands dated in March following to M^r^ Attorney Gen^r^all that they may declare his Royall pleasure to be that the said Lo: Baltemore should resigne his former Grant w^h^ was only passed his signature, and haue an other Grant of a tract of land lying a great way distant northward from the old Colony of Virginea. And accordingly a Bill was prepared, which passed the Priuy Seale, and then before it could passe the great Seale of England, the said Lo: Baltemore dyed.

After whose death, the now Lo: Baltemore became an humble suto^r^ to his Ma^ty^ for the continuance of his said royall favo^r^ and his Ma^ty^ gaue warrant dated 21 of Aprill next following to M^r^ Attorney Generall that then was, to draw a new Bill for the granting the said Lands to him & his heires, w^ch^ passed likewise the Priuy Seale.

Then some of the said old dissolued Company moued his Ma^ty^ for the stay of that Grant also, vpon pretence of promises by proclamacō and otherwise from his Ma^ty^ (since the dissolucō of the old Pattent of Virginea) for the reserving the old Companyes right to all things formerly granted them in that Pattent excepting the Gouernment and for the renewing of their pattent to that purpose, within the limits whereof the Lo: Baltemores Countrey was included: and his Ma^ty^ vpon their great importunity, againe referred the matter, as they desired to the late Lo: Treasurer and the Earles of Dorsett & Carlile, who heard both

parties and all matters that are now in question before yo^{r} Lo^{ps} were then at full heard & considered of, and pticnlarly that of Capt. Clayborne's p^{r}tences to the Island whereon he is lately planted, was much insisted vpon by S^{r} John Wostenholme. But it then appearing to their Lo^{ps} first, that their old Pattent was legally dissolued, not only to the point of Gouernmeut, as they pretended, but to all other purposes whatsoeuer, and that consequently the Conutrey formerly grauted them, was wholy in the Kings hands to dispose of, and that those promises w^{ch} they pretended from his Ma^{tie} by his said proclamation and otherwise were not to reserue to the company any incorporate right, or to renew their Corporacon̄ (w^{ch} his Ma^{ty} is so farr from promising therein to doe) in any kind whatsoever, as for the reasons therein alleadged, he rather declares his intencon̄ then to be directly contrary; bnt to confirme only euery pticuler mans propriety & right to any Plautacon w^{ch} any had settled there, or assignem^{ts} of land made vnto them during the time of the said Companyes Pattent being in force, when any of them should desire it, as may appeare by the Proclamacon̄; and it being also at that tyme made appeare vuto their Lo^{ps} that although the tract of land then intended to the Lo: Baltemore, were within the lymits of the old Companies Pattent, yet that it did not infringe or trench vpou any such plantacon or assignement as aforesaid; Excepting in one part of a Peninsula contayned within the said Grant, w^{ch} part of the Peninsula was therefore afterwards excepted out of his Grant: and that Capt: Cleyborne about the time of passiug the said Grant w^{ch} was many yeares after the dissolncon of the said Companies pattent, had withont any legall authority deriued from his Ma^{ty}; seated himself in an Island where now he is, within the Bay of Cheasepeack (w^{ch} is within the p^{r}ciucts of the Lo: Baltemores pattent) and aboue 100 miles northward distant from James Riner, the p^{r}sent scitnacon̄ of the old Colony of Virginea, of purpose to remoue himself farr from all gouernment, being euer obserued to be a man of a factious spirit, as did appeare by many of his former actions; their Lo^{ps} therevpon againe made certificate vnder their hands to his Ma^{ty} dated 5 of June 1632 that they thought fitt that the said last Graut should passe to the now Lo: Baltemore &

his heires, excepting only a great part of the Peninsula aforesaid whereon some of the old Colony had long before planted themselues during the time of the old Companies pattent being in force, and accordingly a new warrant from his Ma^{ty} dated 7 of June following, was directed to M^{r} Attorney Generall that then was, to alter his Grant in that point, and to prepare a new Grant of all the rest wth that excepcõn only; w^{ch} passed the great Seale of England, it being not a fortith part of the Territory belonging to Virginea, as may appeare by the Cards & Mapps of those Countreys if yo^{r} Lo^{ps} please to peruse them.

After all w^{ch} the yeare following the Lo: Baltemore having to his great charge, made p^{r}paration of Shipps and provisions for the transportacoñ of people to begin a plantacoñ in the said Countrey so granted vnto him; some of the old dissolved Company, a little before the going forth of the said Shipps, being transported with Spleene (as he conceiues he hath reason to doubt) and of purpose to molest him in his proceedings, well knowing how p^{r}iudiciall a litle delay would bee vnto him at that time, againe p^{r}ferred a declaracoñ to yo^{r} Lo^{ps} of the p^{r}tended iniuries done vnto them by the said Grant, formerly so much debated & considered of as aforesaid, and hoping at last (as it seemes) to advantage themselues by importunity and multitudes, they brought 30 or 40 of their Company before yo^{r} Lo^{ps} and all matters formerly considered of, concerning that busines, were then againe debated of at large; and pticulerly that of Cleybornes pretences to the Island wherein he is, was againe much insisted upon, in their declaracoñ, as by the Copy of it, will appeare: and when they were out of hope of overthrowing the said Grant, then did they moue, that at least they might haue an independant liberty of Trade wth the Indians within his precincts, well knowing the preindice w^{ch} they should do him if they obtained that liberty; but it then appearing to yo^{r} Lo^{ps} as well the weaknes of their former p^{r}tences in other things, as likewise the iniustice & great inconveniency of this last motion of theirs: ffirst, in that it was the Lo: Baltemores right by his pattent and the only p^{r}sent benefitt, (though small and not likely to be permanent), that was probable to be made, towards the defraying of part of the great charge of the Plantacon, and therefore

neither in instice nor equity fitt that any others who did not contribute to the planting of the Conntrey, should deprine him of it. Secondly in that it was very inconvenient & dangerous for him and his plantacon̄ to pmitt it, because thereby he should giue those who were not well affected to his plantacon̄, and whom he had noe power to regulate, a meanes to spoile the markett of that Trade, as likewise to pick quarrells, and doe iniuries to those Indians who were Neighbo^{rs} to his plantacon̄, and who would be apt to revenge vpon his Planters all such wrongs done them, when those who did them were gone, the Indians making no difference between them being all of one Nation; Yo^{r} Lo^{ps} therevpon thought fitt by an Order at the Starr chamber 3. of Jnly 1633 to dismisse the busines, and to leaue the L: Baltemore to the right of his Pattent.

All w^{ch} iust and faire proceedings in the passing of w^{ch} pattent ought to haue been snfficient (as is humbly conceiued) to debarr any man from any further importnnity in opposing his Ma^{ts} gracions Act vnder the great Seale of England, so advisedly & considerately done, especially there having been really no such promises made by his Royall Proclamacon̄ aforesaid, as could any way either in hono^{r} or otherwise oblige him to forbeare to make such a Grant vnto the Lo: Baltemore: But only were and are snggested by them either meerly to p^{r}iudice and molest his good endeavo^{rs} for the enlargment of his Ma^{ty} Empire in those parts; or for some other ends besides planting: ffor if their intentions in this their importunity to haue their Corporation renewed, were and are meerly to haue power thereby to plant, any of them hath might and may yet, without pressing for any such thing, hane Land enongh assigned them for that pnrpose, from his Ma^{ts} Gouerno^{r} and Councell in Virginea, as many others, both old and new Plant^{rs} and Adventurers, from time to time, since the dissolncon̄ of the old Company haue had, and dayly haue, and vpon as good conditions as any perticular person of them either had or could haue had, when they were in an incorporated Body; there being more Land vnplanted and vndisposed of then them those many yeares, and such land as is more southerly

and better then that w^{ch} is granted to the Lo: Baltemore; w^{ch} pticular assignem^{ts} also, his Ma^{ty} no doubt would afterwards be pleased to confirme vnto any of them as they should reasonably desire, and as he was graciously pleased to promise, by his said Proclamacon, to those who had any plantacon̄ seated, or any assignement of Land there, during the time of the old Corporation. But none of those, who haue so much troubled his Ma^{ty} and yo^{r} Lo^{ps} in this busines, haue any Plantacon̄ or people setled in Virginea, neither haue any of them begun any plantacon for Sugars on the South parts of Virginea, as some of them vpon the late Lo: Baltemore's first Grant of that part, above menconed (w^{h} is now 3 yeares since), p^{r}tended very earnestly to doe, or done any thing els since, concerning the plantacon of Virginea, but importuned his Ma^{ty} and yo^{r} Lo^{ps} for the renewing of their Corporacon, and raysed trouble both here and there ag^{t} the Lo: Baltemore and his Plantation.

Now for as much as the said Grant was made vpon such mature deliberation, vpon so many seuerall references, warrants and certificates (the Copies whereof are ready to be shown vnto yo^{r} Lo^{ps}).

And for as much as the said Lo: Baltemore hath therevpon disbursed by himselfe and his friends aboue tenn thousand pounds for the setling of a Colony of his Ma^{ts} Subiects in the said Countrey, having sent two of his Brothers thither (one of whom he hath since lost vpon the place) and having seated already aboue two hundred people there. Hee humbly beseecheth yo Lo^{ps} to the end he may be no further vniustly molested by any of the old dissolued Company of Virginea, but may peaceably & quietly enioy his Ma^{tys} gracious Grant vnto him, and the right, w^{ch} he (in confidence thereof) hath since so deerly bought by the expence of so great sumes of money, the loss of one of his Brothers and severall others of his freinds, and many other troubles w^{ch} he hath since vndergone, in the prosecution of it. That yo^{r} Lo^{ps} would be pleased vpon these considerations; To make a finall Order that the old dissolued Company of Virginea shall be heard no more in their said vniust p^{r}tences against his

Pattent, because the often questioning of his right, though it be vpon vniust grounds, doth much p[r]iudice him in his proceedings; Nor that any other order do passe from this Hono[ble] Board w[ch] may p[r]iudice his right or cause any suites in Law between them; ffor that would much endanger the overthrow of his Plantation, which is now in a good forwardnes to perfection, and consequently his and many of his freinds vtter ruine; in respect that the greatest part of their fortunes are therevpon engaged.

FRENCH FORTS IN 1755.

A Journal descriptive of some of the French Forts, had from Thomas Forbes, lately a Private Soldier, in the King of France's Service:—

January 1755

About a year & half ago, I with 120 Private Soldiers & our officers embarked in Old France for Canada.

Our Vessel was a Frigate of 40 guns & another Frigate of 30 guns sailed at the same time, with a Company of Soldiers to relieve the Garrison at the mouth of the Mississippi.

After a short voyage we disembarked at Quebeck, where we were permitted to stay 3 weeks to refresh ourselves.

The regular Troops in that City did not exceed 300, but I was told there were many Parties & Detachments quartered up and down the Country, all around that place.

Being joined by a Company of 50 Men from that Garrison we went in Bateaus to Montreal, under the Command of Lieut. Cargueville, & there we spent the last winter.

At our arrival there was a Company of 50 men in the City, where [we] were quartered, so that in all we made 220, exclusive of Officers.

Very early in the Spring we were joined by near 400 more,

who were drafted out of the several Companies that garrisoned the Forts, & were posted on the Frontiers of Canada.

Easter Tuesday we embarked to the number of 600 or 700, in about 300 Batteaus & Canoes (not barken) & took with us a large Quantity of Barrelled Pork & Meal in Baggs; the Baggs weighed 60^{lb}. or 70^{lb}. each, & I believe there might have been 1500 of them; how many of the Pork there were I never heard nor could I guess, but I believe the Canoes that were not laden with Flour carried 5 or 6 Barrells at least each of them, & the Batteaus received 18 or 20.

We were three weeks going from Montreal to Lake Ontario keeping the Shore close on board, because of the rapidity of the Stream, & at night we went ashore, excepting a few that were left with the Canoes, that were fastened to Stakes or Trees on the Shore.

Then we had our Biscuit, which was laid in for the Voyage, delivered to us, with 1^{lb}. of Pork to each, & kindling large Fires, we cook'd our Provisions for next day, & slept round the Fires, each of us being provided with a Blanket.

We kept along the South East shore of Ontario Lake, & passed so near to the English Fort called Conquen or Oswego, that we could talk to the Centinels.

When we came to the Fort at the Falls of Niagara, we landed all our Provisions, in which service the Garrison at the Fort assisted & carried them on Sleds, that were there at the Fort to a little Log House (called le petit Fort de Niagara) three Leagues beyond Niagara Fort, where we put them aboard other Batteaus & Canoes that were there ready to receive them.

At our arrival at Niagara, there were at that Fort 25 private men, commanded by Lieut. de la Parrie but Mr. Contracure was also there in the Fort, & had the chief Command, there was also a Serjeant's Guard at the little Fort.

The Fort at Niagara is no more than an Eminence surrounded with Stockades or Palisades, which stand about 14 Feet above the Ground very close together, & are united or fastened together by three pieces of long Scantling, that is put transversely on the

Inside at the Distance of three Feet or so from each other. These Stockadoes inclose an area near 300 Paces square on which is built an house for the Commandants, Barracks for the Men, & a Smiths Shop; it is not rendered defensible by any outwork or even a Ditch & there are not mounted in it more than four Swivel Guns.

As soon as we had put our Provisions on board at the little Fort, that I mentioned, we proceeded to Lake Erie with Capt Contracure, who had himself now taken the Command of all the Troops in the Canoes: we kept along the Eastern Coast of Lake to Fort Prisquille, which I apprehend is about 50 Leagues from Niagara, this Fort is situated on a little rising Ground at a very small Distance from the water of Lake Erie, it is rather larger than that at Niagara, but has likewise no Bastions or Outworks of any Sort; Tis a Square Area inclosed with Logs about 12 Feet high, the Logs being squared, & laid on each other, & not mor than 16 or 18 inches thick. Capt Darpontine commanded in this Fort & his Garrison was Thirty private men.

We were 8 days employed in unloading our Canoes here & carrying the Provisions to Fort Boeuff, which is about 6 Leagues from Fort Prisquille at the head of Buffaloe River.

This Fort was composed of four Houses built by way of Bastions & the intermediate Space stockaded; Lt St Blain was posted here with 20 Men; here we found three large Batteaus, & between 200 or 300 Canoes which we freighted with Provisions & proceeded down the Buffaloe river, which flows into the Ohio at about 20 Leagues (as I conceive) distance from Fort au Boeuff, this River was small & at some places very shallow; so that we towed the Canoes sometimes wading, & sometimes taking ropes to the Shore a great part of the way.

When we came into the Ohio we had a fine deep water and a Stream in our Favour, so that we rowed down that from the mouth of the Buffaloe to Du Quisne Fort, on Mongehela, which I take to be 70 Leagues, in four days & an half.

At our Arrival at Fort Du Quisne we found the Garrison busily employed in compleating that Fort, & stockadoeing it

round at some Distance for the Security of the Soldiers Barracks (against any Surprize) which was built between the Stockadoes & the Glacis of the Fort. Fort du Quisne is built Square, Logs transversely placed as is frequent in Mill Dams, & the Interstices filled up with Earth; The Length of the Logs is about 16 Feet which is the thickness of the Rampart, There is a Parapet raised on the Rampart of Logs, & the Length of the Curtains is abont 30 Feet & the Demigorge of the Bastions about 80, The Fort is surrounded on the two Sides that do not front the water, with a Ditch, about 12 feet wide & very deep, because there being no Covert way the Musquetteers fire from thence having a glacis before them.

When the News of Ensign Jumouvilles Defeat reached us our Force consisted of about 1,400, Seven Hundred of whom were ordered out under the command of Capt. Mercier to attack Mr. Washington; after our return from the Meadows a great Number of the Soldiers who had been labouring at the Fort, all the Spring, were sent off, in Divisions to the several Forts between that and Canada; and some of those that came down last, were sent away to build a Fort somewhere on the head of the Ohio, so that in October the Garrison at Du Quisne was reduced to 400 Men who had Provisions enough at the Fort to last them two Years, notwithstanding a good deal of the Flour we brought down in the Spring proved to be damaged, & some of it spoiled by the rains that fell at that time.

In October last, I had an opportunity of relieving myself & retiring. There were not then any Indians with the French but a considerable Number were expected, & said to be on their March thither.

MORE ABOUT REV. SAMUEL KNOX.

BERNARD C. STEINER.

Some interesting additional information as to this important figure in Maryland's educational history was published in this *Magazine* for September, 1907 (vol. 2, no. 3, p. 285). Since then I have learned of several additional titles to be placed in Mr. Knox's bibliography, viz. :

1—A discourse on the present state of education in Maryland, Dec. 31, 1807. Baltimore, 1808, p. 28.
2—A Compendious system of rhetoric. Baltimore, 1809.
3—A discourse in the 2nd Presbyterian Church. Baltimore, 1812.
4—Discourse delivered in the First Baptist Church on Jan. 12, 1815, a day recommended by the president as a day of fasting and prayer, pp. 40. Baltimore, 1815.
5—A second edition of An Essay on the best system of liberal education. Frederick, printed by Samuel Barnes, 1826.

The first three of these items are contained in the Library of Congress and the last two, in the T. Harrison Garrett Collection.

A fuller description of the items in the Library of Congress is as follows :

1) "A discourse on the present state of Education in Maryland : delivered before the Honorable the General Assembly on Thursday the 31st. of December, 1807 by Samuel Knox, A. M. Principal of Baltimore College. Prov. 22d. & 6th. Train up a child in the way he should go ; And, when he is old, he will not depart from it. Baltimore. Printed by Warner & Hanna, 1808, 8vo. pp. 28." In this discourse Knox sets out to prove that "the proper Education of Youth is the command of God : the dictate of nature ; and the best foundation for the just observance of those Laws which are necessary for the well being of society." The most of the sermon deals with the last point. Knox emphasizes

the importance of education on a "liberal scale" and says "we are apt to limit our views of education to too contracted a scale, restricting it merely to the attainment of a few useful branches for the purposes of business; and leaving out the progressive culture of the mind: and all that discipline which tends to enlarge and envigorate its noblest powers." He advocates a general system of education and denies "that the poorer description of citizens in Maryland want a suitable education more than the rich: and the remote or least populous parts of the state more than the thriving village or crowded city." On the other hand, he asserts that the "opulent citizens of our state, generally considered, want a proper or suitable education more than the poor," and that the "poorer description of citizens have a more correct taste and just sense of a proper education than the most wealthy, whose "little masters and misses are generally employed, from the age of five to fifteen years, in dancing and dressing, and fiddling and trifling, to the frequent interruption, and in some instances, total exclusion of the more exalted culture of the understanding." He speaks of an institution (probably St. John's College), "which our state had placed at the head of public instruction" and which formerly "promised a distinguished sphere of usefulness" but which has been "shorn of its honors and emoluments, and like the departing sun" is "sinking fast into a darkening atmosphere of neglect and oblivion." Another institution (St. Mary's University?) had "obtained a very liberal support from many of the most wealthy and influential in its vicinity and elsewhere. Yet within the walls of that institution, no poor man's son, or of those in moderate circumstances, can enter as a student." This fact should exclude the institution from "legislative sanction and exclusive privilege." Another college institution in Baltimore, that over which Knox presided, had been established to "encourage an advanced system of education, on terms accommodated to those in moderate circumstances." Knox pleaded, at some length, for an appropriation from the State to Baltimore College, as a proper object of legislative bounty. He points to the benefits which have been derived

from Nassau Hall, at Princeton in New Jersey, as a proof of what may be expected from such institutions. "In all our most respectable public establishments of education, the youth of all descriptions of citizens should, as much as possible, be brought up together."

2) "A Compendious System of Rhetoric; arranged in a catechetical Form; and abstracted from Blair, Holmes, Stirling, &c., and the best authors on that art, by Samuel Knox, A.M., Principal of Baltimore College. 'Quicquid praecipies esto brevis.' Hor. Baltimore: Printed for the author by Swain & Matchett. 1809. 12mo. pp. 130." Preface dated Baltimore College Sept. 19, 1809, states that the "compend is designed chiefly for the use of the students" in that college, and that Rhetoric is the quintessence "of all that is excellent of Belle Lettre, or classical and literary composition." Supplementary examples of a theme in Latin and in Greek are given, as are Stirling's rhyming "Definitions of the Tropes and Figures in Rhetoric" and a table of "Names of the Tropes and Figures with their Derivation and Meaning."

3) "A Discourse Delivered in the 2d. Presbyterian Church in the City of Baltimore, On Thursday, the 20th. of August, 1812, being the day appointed by the President of the United States, for national humiliation and prayer; together with the other purposes recommended in his proclamation. Published by particular request of the Military Corps that attended on that occasiou; and several respectable members, also, of the Congregation. By Samuel Knox, A. M., Principal of Baltimore College. 'Trust ye in the Lord Jehovah, forever, For in the Lord Jehovah is everlasting strength.' Baltimore. Printed by William Warner, 1812. 8vo. 32 p." (Prefatory note by James Horton, Capt. Md. Chasseurs, dated Aug. 22, requesting publication of the discourse.) It treats: 1) upon "what is implied by trusting in God, especially, as applied to a nation"; 2) upon "the grounds on which, as a state or nation, we should cherish this Trust in Jehovah"; He regrets the degeneracy of the people "from the first principles of the Fathers of this nation" and defends the war with England

as righteous. 3) upon the "propriety and importance of cherishing such a trust in God, as our indispensable duty;" and, lastly, there is found "some improvement of the subject, suited to the present occasion"; urging vigor in prosecution of the war and patriotic support of the policy of the Federal Government.

PARTY OF ACADIANS WHO SAILED FROM THE POTOMAC, BOUND FOR THE MISSISSIPPI.

In my article on 'The Acadians (French Neutrals) transported to Maryland,' published in the *Magazine*, March, 1908, I quote the entry in the clearance book kept at Annapolis, for the Schooner *Virgin*, Thomas Farrold, Master, bound for the Mississippi with 200 passengers and their baggage.

I have recently found an account of a second vessel bound from Maryland to the Mississippi carrying French Neutrals. It is contained in "A Tour in the United States of America; containing an Account of the Present Situation of the Country," by J. F. D. Smyth, Esq., London, 1784.

The master of the vessel is stated to be a brother (unnamed) of the owner of the vessel, Athanasius Ford, of Leonard Town, St. Mary's County. The books of the Potomac district are not available, possibly not in existence, but we know from parish records that Athanasius Ford lived in St. Mary's County at this period.

BASIL SOLLERS.

During the time I was at New Orleans, a gentleman from Maryland, who had fallen, by a very unfortunate accident, into the hands of the Spaniards in New Mexico, and with several other British subjects had been most cruelly treated by them, arrived there.

Having at length obtained his liberty, for he had been a considerable time very rigidly confined, he came to New Orleans, to endeavour to procure a passage either to Virginia, Maryland, or Philadelphia.

This gentleman, descended from a Roman Catholic family in Maryland, was master of a vessel belonging to his brother Athanasius Ford, of Leonard Town, in St. Mary's County, and had saild from the river Potowmak, loaded with the French Neutrals (as they were called), who had been removed from Nova-Scotia by the British government on account of their strong predilection to the French interest there, which at every risk they were always ready to promote and support.

The vessel was navigated by British sailors, and was bonnd to the Messissippi, in order to carry these French Accadians to their conntrymen there, where they intended to settle.

But having got into the trade-winds, and being nnacquainted with the navigation of that part of the gnlf of Mexico, after having been reduced to the greatest distress for want of provisions, their whole stock being exhausted for some time, having subsisted on the rats, cats, and even all the shoes and leather in the vessel, they ran into Bernard's bay, and landed at the mouth of Rio de la Norte, or Rio Grande, in the Kingdom or province of New Mexico, instead of the Mississippi.

Happening to discover a horse, immediately after their coming on shore, they killed him for food, which was certainly very excusable in their emaciated, starving condition.

They had scarce finished their wretched repast, when the vessel was seized on by the Spaniards, and confiscated for the use of the King; and they were carried, most of them to the town of New Mexico, and some to Santa Fé, the capital, no less than eighty-six days jonrney within land from the place where they came on shore on this inhospitable coast.

Here they were all closely confined for some time.

But at length the common people were permitted to go at large, in the day, on condition of their labouring for the inhabitants.

Yet the officers belonging to the vessel, as well as all the

English sailors, were still imprisoned with the most rigid and barbarous severity.

However they were also offered a limited enlargement, on condition of their signing a paper, written in the Spanish language, which however they privately contrived to obtain a translation of, and found it contained an acknowledgment on their part of having been guilty of the most unjustifiable and aggravated crimes, and of being treated with the greatest humanity and tenderness during this their captivity.

This they had the resolution and virtue of refusing to subscribe to, although they were actually in danger of starving and perishing for want of necessary food.

At length a priest, possessed of more humanity than the rest of the barbarous inhabitants of that country, having called to visit them, took compassion on their extreme wretchedness, made them a present of a fat bullock every day, and interested himself so effectually for them as to obtain their enlargement.

But so numerous were this man's flocks of cattle, as well as of horses, that although these poor unfortunate creatures received above a hundred oxen from him, yet they could not be missed out of the whole flock.

For it seems the land there is not overgrown with woods, as in the rest of America, but is universally a rich meadow, abounding with the finest grass in the world, and interspersed here and there with clumps or clusters of tall and stately trees.

FINENESS OF SILVER DOLLAR.

[An Official Paper, dated December 9th, 1791, of Alexander Hamilton, Secretary of the U. S. Treasury, given to Senator John Henry of Maryland, in reference to the quantity of fine silver contained in the silver dollar.

The original paper is in the handwriting of the Hon. Alexander Hamilton and is now in the possession of J. Winfield Henry of Baltimore, a great grandson o Governor John Henry.]

COPY.

The Secretary of the Treasury not relying entirely on the accuracy of the data upon which the calculations in his Report on the subject of the Mint were founded, as they respect the quantity of fine silver contained in the silver dollar, thought it advisable to embrace the opportunity of the interval between the last and the present sessions of Congress to endeavour to obtain from Europe more certain information on the point.

The result has been—He first received from Amsterdam an account of the Standard of the new M. dollar which is almost the only one in circulation according to the regulations of the Spanish Mint.

This accounnt States

1st as to weight, That there are 913 to 914 dollars in 100 marcs, or 791 ounces aveirdupois.

Consequently on the computation of 913 to 100 marcs each dollar would weigh - - - dwt. grs 17 – 7 $\frac{785}{913}$

On computation of 914 to 100 Marcs - - 17 – 7 $\frac{370}{914}$

2nd As to the standard—That it is 258 parts fine to 30 alloy

Consequently a dollar of dwt. gr. 17 – 7 $\frac{785}{913}$ would contain of fine silver - $372\frac{494}{913}$

" a dollar of 17 – 7 $\frac{370}{914}$ would contain of ditto - - $372\frac{370}{914}$

It is ascertained that it was formerly usual at the Spanish Mint to allow a remedy of weight and alloy of $\frac{2}{288}$ parts.

If the remedy continues, the quantity of fine silver in a dollar of the first description above would be - $369\frac{597}{913}$

In a dollar of the second description " " - $369\frac{228}{914}$

But he afterwards received a return of an actual assay at the Mint of Amsterdam which states the dollar at 258 parts fine to 30 parts alloy in exact conformity to the Standard of the Spanish Mint as before given and exclusive of all allowance for Remedy.

According to which a dollar would actually contain of fine silver - - - - - - - - $372\frac{494}{913}$

or, $372\frac{370}{914}$

Three conjectures arise—either that the Account given as conformable to the legal standard of the Spanish Mint was not just, but was predicated upon the result of assays at the Mint of Amsterdam, or that being so conformable the remedy formerly allowed at the Spanish Mint has ceased, Or that the Assay at the Mint of Amsterdam was not perfectly accurate.

There has been also received the result from assay at the Mint of London which makes the Standard of the Spanish Dollar 5172 parts fine to 588 parts alloy.

According to which a silver dollar weighing 17 $7\frac{785}{913}$ would contain of fine Silver - - - - $373\frac{376}{913}$

a dollar weighing - - - - 17 $7\frac{370}{914}$ $372\frac{913}{914}$

Here is a small difference which indicates a difference of accuracy in the assays, or a difference in the pieces assayed arising from errors in the Spanish Mint.

The two statements from Amsterdam seem entitled to most confidence not only because there is a correspondency between them, but because there are some marks of inaccuracy in the proceedings at the Mint of London. It is stated in the body of the certificate that the gross weight of the Dollar is presumed to be 17 dwt., 10 Grains and in the Margin it is mentioned as certain that the average is 17 dwt. 8 Grains.

The latter however is the truth or very near it, according to the trials in large masses made at the Banks of N. America & New York, but the cashier of the former bank seems to be of opinion that for a time the dollar rather gains in weight from the dirt which adheres to it, though in the course of a long circulation it loses.

Philadelphia, December 9, 1791
ALEXANDER HAMILTON
Secy. of the Treasy.

THE BOSTON MASSACRE.

Boston 18th June 1770

Dear Bob

I received your favor of the 31st of March last, and am the more obliged to you for it as it was wrote at a time when, (as poor Brian Philpot used to say) your head must have been full of proclamations. Sickness, of which I have had more in this cold climate then I ever had in all the rest of my life, has been the chief cause of my not having answered it sooner.

I will now proceed according to your desire to give you a short account of the bloody affair that happened here, trusting that my veracity and candor may yet weigh more with some few of my friends, than the shameful misrepresentations of an infamous newspaper. Ever since the arrival of His Majesty's Troops here they have been treated more like dogs than men by the Towns-people, and of course, notwithstanding the strictest discipline, many quarrels have arisen between them in which the soldiers were generally seized by some popular magistrate, thrown into Goal, and punished with the utmost severity of the Law, without the commanding officer having it in his power to prevent it. On the Saturday before the Monday on which this affair happened, a soldier was insulted by some Journeymen Rope-

makers in a Rope-walk, and he calling some brother soldiers from a neighbouring Barrack the affair became general and a bloody battle ensued, but the sergeants soon interposed and drove the soldiers home to their quarters which the Rope-makers took for a compleat victory, who began the renewment of the battle on the Monday evening following. I cannot say with any certainty, but it was currently reported long before it happened, that they were to take it out that evening and every Townsman seemed to be armed with a club; however be that as it will, the people became so indiscreet as to go and insult the Centry who was placed at The Custom-house, and surrounded him so closely that he was obliged to call to the Main-guard for assistance upon which Cap^{t} Preston took a file of Grenadiers and went over himself with a design to prevent mischief rather than be the occasion of it, as he is one of the most inoffensive and best esteemed officer in the whole Garrison, but notwithstanding all his intreaties the mob still continued to pelt the soldiers and to aggravate them to the highest degree, frequently calling to them to Fire if they dared, until at last a Grenadier having received a blow which staggered him, upon recovering himself he discharged his piece amongst them and was instantly followed by most of the rest, without the Captain's orders as he most solemnly protests, and as will I believe appear upon the Trial. The Mob sometime before the firing had set all the bells aringing in order to raise the whole Town and all the streets for some hours were full of armed men, but the two regiments being now under Arms and the officer and his party having delivered themselves up, the people thought proper to go quietly home. The number killed and wounded, you will have learnt by the papers, being almost the only truth in them as also the inglorious Capitulation made the day after by which His Majesty's Troops were obliged to quit the Town with circumstances of the highest disgrace, and for which it is generally thought here the advisers and consenters thereto will hereafter be called to an account. Thus have I given you a faithful detail of this unhappy affair, and though I think I have as much humanity as any man, and am by no means a friend to military power, yet

I have always held it a Maxim that in a civilized Governm^{t} the the lives of an hundred such mobbing Spirits as we are in daily and nightly fear of here, are not to be set in competition with the life of one single honest and peaceable subject. You will shew this letter to none but our friends Stenhouse &c^{a}. as probably others will pay little credit to it.

You were mistaken in supposing I was uneasy at a certain piece of intelligence, but I will say more on this subject in my next, in the mean time I remain with my best respects to your Spouse and all the good family at Newington, Dear Bob

Your affectionate friend

Dan^{l} Chamier Jun^{r}

LETTER OF ALEXANDER McKIM TO MISS ——.

Fredk^{g} 2^{d} July 1781, Monday

Dear Miss:

From Alexandria where my last was dated, we proceeded on slowly to this plaee, where we arrived last night. We go on slowly, the weather being very warm, and it would not do to bring our horses tired and jaded to camp, for they will have bad keeping and little rest there, as the Marquis is in great want of Cavalry. Our business at camp is to reconnoitre the enemy's motions, carry intelligence, and attack the enemy when thrown into confusion, etc.

I have the pleasure to acquaint you that I am perfectly well, and that I do comply with the requisition of the Gov^{r}. and Council most cheerfully. This spirit, I believe, is pretty general throughout the Troop. We rest to refresh our horses to-day, to-morrow we shall go forward. When we get to camp you may perhaps not hear from me often for want of conveniency to write: but it is my intention to let you hear from me as often as I can.

I believe I forgot to mention to you that we were joined by and do march with the Troop from Frederick Town, about equal to ours in number.

Cornwallis is on the retreat: and his movements indicate a design of leaving this State. There was a smart skirmish last Tuesday between their cavalry and our infantry and riflemen. The British had about sixty killed, and upwards of one hundred wounded: we only eight killed and twenty wounded. The reason of this was that about 400 of our riflemen concealed behind a fence gave them two heavy fires before the enemy could do them any damage.

Request that Thoney deliver all the letters herewith sent immediately. Should you write me, please send your letters to care of Messrs Hood & H. at Alexa, they will forward them. This unless you meet with an immediate opportunity to camp. I should be particularly happy to hear of R. M. gets home. My compts wait on all friends. I am, etc.

ALEX. MCKIM.

N. B. We have experienced no inconveniency in the soldier's life yet, except that our horses have not fared quite so well as we could wish.

LIST OF OUTLAWRIES, WESTERN SHORE.

I Thomas Brooke Hodgkin Clerk of the General Court of the Western Shore of the State of Maryland do hereby certify that at May Term 1780 the following Persons were outlawed for High Treason by Judgments of Court, to wit—

Robert Alexander		Richard William Parkin
Patrick Kennedy		John Lynch
William Smith		Henry Stevenson
Edward Carnes		John Christie
Robert Christie	and	James Hall

And also that the following Persons were presented for High Treason at May Term 1781 and the Actions were Struck off at May Term 1782, to wit,

Jonathan Boucher	Henry Addison	William Edmiston
John Montgomery	Bennett Allen	Anthony Stewart
Daniel Dulany	Daniel Dulany	Lloyd Dulany
of Dan[l]	of Walter	Henry Riddle
Philip Key	Daniel Addison	Charles Gordon
Thomas French	George Chalmers	Nathaniel Richardson
George Howard	Leigh Master	
David Carcand and	Daniel Stevenson	

The following Persons were also Indicted at Oct[r] Term 1781 for High Treasons but the Actions were Struck off at October Term 1783, to wit,

David Bryan		John Hayman
Joseph McFadon	and	John Adams

In Testimony that the aforegoing are true Copies from the Records of Proceedings of the General Court I have hereto set my Hand and Seal of Office this 23[rd] day of December Anno Domini 1784

Tho[s] B. Hodgkin Ck.

MARYLAND TROOPS IN WAR OF REVOLUTION.

May 14[th] 1782 Number and State of the Troops raised in Maryland from the Year 1776 down to the present Time viz.

1776	1[st] Regiment inclusive of Serjeants Corporals drummers & Fifers	720
	7. Independent Companies	756
	2. Artillery Companies	212

The above Troops were enlisted during the War upon the State Establishment the two first Corps served during the Campaign of 1776, were in October incorporated as the first and second Maryland Regiments and re-entered for three years upon the Continental Establishment.

The Maryland part of the Rifle and German Regiments four Companies in each Consisting of Seventy four Men Serjeants Corporals drummers and Fifers inclusive 592

1777 Five additional Regiments viz^{t} 3, 4, 5, 6 & 7 on an Average 300 1500

The Artillery Companies were assigned as part of the Maryland quota and re-entered upon the Continental Establishment and the following year were incorporated in the first Continental or Harrisons Regiment of Artillery to be kept up by the States of Maryland and Virginia.

1778 The Regiments were filled principally by draughts for nine Months but there were some Recruits. The transaction being within the State I cannot ascertain the number forwarded under the latter description but out of the draughts there were enlisted that Year near or quite 200 which kept the Regiments for the first Brigade pretty formidable.

1779 I do not recollect that we received any Recruits

1780 In this Spring the Maryland line consisting of 1200 Rank and File and full complement of Commissioned and non-Commissioned Officers for the seven Regiments was ordered to Carolina where it was greatly reduced by Actions and Casualties, the latter part of the Summer about Seventy recruits joined.

1781 There were near 700 Recruits raised and forwarded

1782 There has been since March about two Hundred Men recruited.

Exclusive of the above Corps the State sustained very Capital losses in the Flying Camp and other bodies of Militia which occasionally marched out afterwards. She has also been much imposed on by draughts of Men raised by Officers in detached Corps, the Major part of which her Quota has not been credited for. *Vide* State of the Troops and Representation made to the Assembly.

SEWALL FAMILY.

CHRISTOPHER JOHNSTON.

A very full genealogy of the Sewalls of New England and of the English ancestors of the family is given in Massachusetts Historical Collections, 5th Series, vol. v, pp. xvi–xviii. It is based largely on the work of the distinguished genealogist, the late Col. Joseph L. Chester, and has been freely utilized in the present genealogy. See also *Magazine* i, 190.

1. William Sewall [1] or Shewel, who married Matilda daughter of Reginald Horne of Pikesley in Shropshire, is the earliest ancestor of this family that has as yet been traced. The fact of his marriage is set forth in the Horne pedigree entered at the Visitation of Shropshire in 1623 (Harleian Society, vol. 28, p. 260), and also at the Visitation of Warwickshire in 1619 (*ibid.* vol. 12, p. 343).
William Sewall and Matilda (Horne) his wife had issue :—

2. i. Henry Sewall [2] b. about 1544; d. 16 April 1628.
ii. William Sewall, Vintner, Mayor of Coventry in 1617; will dated 29 June 1624, proved 11 Sept. 1624. He married Ann (probably Wagstaffe) who died 20 Dec. 1609 aged 46, and was buried at St. Michael's, Coventry. They had three daughters all living in 1624.

2. Henry Sewall [2] (*William* [1]) was born about 1544, died 16 April 1628 aged 84 years, and was buried in St. Michael's Church, Coventry. He was an Alderman of Coventry, and was Mayor of the town in 1589 and 1606. His will, dated 1 Sept. 1624, was proved 30 June 1628. An abstract is given in *Water's Genealogical Gleanings in England*, pp. 153 ff. In it he leaves a bequest to "my cousin John Horne," and appoints "my loving kinsman Reginald Horne gentleman," one of his overseers. A reference to the Horne pedigree, cited above, readily establishes the testator's relationship. Henry Sewall married, about 1575, Margaret eldest daughter of Avery Grazebrook of Middleton, Co. Warwick. She was born about 1556 and, dying in 1629 was buried in St. Michael's. In her will, dated 7 May 1628 she states that she is "aged 72 and upwards." The

will was not admitted to probate until 13 June 1632, though administration on her estate was granted 23 November 1629. An abstract is given in *Water's Gleanings*, p. 811.
Henry Sewall and Margaret (Grazebrook) his wife had issue:—

i. HENRY SEWALL[3] of Coventry, bapt. at St. Michael's 8 April 1576, emigrated to New England and died at Rowley, Mass., in 1657. He married Anne Hunt and was the ancestor of the New England Sewalls.
3. ii. RICHARD SEWALL of Nuneaton, d. 1638; of whom further.
iii. ANNE SEWALL, mar. before 1 Sept. 1624, Anthony Power of Kenilworth, Co. Warwick, gent. He d. in 1632. Her will, dated 15 Jan'y, 1633, was proved 1 May following. Abstract in *Water's Gleanings*, p. 810.
iv. MARGARET SEWALL, mar. Abraham Randall of Coventry, gent., who d. s. p. before 1646. Her will, dated 4 May 1646, was proved 22 May 1646. Abstract in *Water's Gleanings*, p. 1415.

3. RICHARD SEWALL[3] (*Henry*,[2] *William*[1]) of Nuneaton, Co. Warwick, died in the latter part of 1638 and letters of administration upon his estate were issued 2 January 1638/9. He married Mary daughter of John Dugdale of Shustoke, Co. Warwick, and Elizabeth Swynfen his wife, and sister of Sir William Dugdale (b. 12 Sept. 1605 : d. 10 Feb. 1685/6) the celebrated antiquary and author. She was baptized 7 December 1597, and died about 1648.
Richard Sewall and Mary (Dugdale) his wife had issue:—

i. RICHARD SEWALL[4] of Nuneaton, will dated 11 Aug. 1642, proved 29 April 1648; a surgeon in Cromwell's Regiment in the Civil War.
4. ii. HENRY SEWALL, Secretary of Maryland, d. 1665, of whom further.
iii. SAMUEL SEWALL, a minor in 1648; living in 1664.
iv. MARGARET SEWALL, b. 1615; d. young.
v. MARY SEWALL, b. 1616; living in 1642; wife of —— Dudley.
vi. ELIZABETH SEWALL, b. 1608; mar. Edmund Seare, Notary Public; living in 1648.
vii. ANNE SEWALL, living in 1648.
viii. PRUDENCE SEWALL, living in 1648.
ix. SARAH SEWALL, living in 1648.

4. HENRY SEWALL[4] (*Richard*,[3] *Henry*,[2] *William*[1]) was a minor and an apprentice in 1642, the date of his brother Richard's will. In 1652, then residing at Corley, Co. Warwick, he petitions the Committee for Compounding in regard to an estate in Corley, belonging to him, worth £30 a year which had been sequestered in 1644 for the delinquency of his elder brother Richard, now deceased. Richard however came in "upon Truro articles" with his horses, arms and "surgeons tools," and served in General Cromwell's regiment as a surgeon, finally dying in the service (Calendar of Committee for

Compounding, 2965). In 1661 Henry Sewall removed with his family to Maryland. A warrant for 2000 acres was issued, 12 Sept. 1661, to Henry Sewall of London, Esq. (Land Office, Lit. 4, fol. 615), and, 10 April, 1663, he entered rights for himself, his wife Jane, his children Nicholas, Elizabeth, and Anne, and three servants, and received a warrant for 300 acres (*ibid.* Lib. 5, fol. 251). 20 August 1661, "Henry Sewall formerly of London, England, but now of Calvert County, Maryland" was Commissioned Councillor, Secretary, and Judge of the probate of Wills for the Province (Md. Archives iii, 439), and he held these offices until his death. In his will, dated 25 April 1664, he states that he intends to sail for England during the current year, and at a Council Meeting held 6 Sept. 1664, "Henry Sewall Esq. being called was returned absent in England" (Md. Archives i, 509). His will was proved 17 April 1665. He married, in England, Jane, daughter of Vincent Lowe of Denby in Derbyshire, and sister of Col. Vincent Lowe, Member of Council and Surveyor General of Maryland. She married secondly, in 1666, Charles Calvert then Governor of Maryland, later the third Lord Baltimore.

Henry Sewall and Jane (Lowe) his wife had issue:—

5. i. Maj. Nicholas Sewall,[5] b. 1655; d. 1737; of whom further.
   ii. Elizabeth Sewall, mar. 1°. Dr. Jesse Wharton (d. 1676), 2°. Col. William D. Digges (d. 1697); she d. 1710.
   iii. Anne Sewall, mar. 1°. Col. Benj. Rozer (d. 1681), 2°. Col. Edward Pye.
   iv. Mary Sewall, b. 1658, d. 12 March 1693/4; 1°. Col. William Chandler (d. 1685), 2°. 22 March 1687, Capt. George Brent of Woodstock, Stafford Co., Va.
   v. Jane Sewall, b. 1664; mar. Philip Calvert, brother of Cecilius Calvert, second Lord Baltimore.

5. Maj. Nicholas Sewall[5], (*Henry*[4], *Richard*[3], *Henry*[2]) was born in England in 1655, and died in St. Mary's County, Md., in 1737. He came to Maryland with his father in 1661, when about six years old, and in a deposition, made in 1722, gives his age as 67 years (Chancery, Lib. P. L., fol. 758). On the 5th of February 1682 he and John Darnall were commissioned Secretaries of the province of Maryland and took the oath of office the same day (Md. Archives, xvii, 130–131). This office which carried with it a seat in the Council, Maj. Sewall held until 1689. In 1684 Lord Baltimore, being about to leave the Province for England, appointed his young son, Benedict Leonard Gov-

ernor of Maryland, but as the latter's extreme youth rendered the appointment purely formal, the real management of affairs was committed to a board of Deputy Governors. The commission to this board was issued in May 1684, and Maj. Nicholas Sewall was included in it (Md. Archives, xvii, 249). In consequence of the revolution of 1689 Maj. Sewall was obliged to vacate all his offices and retire to private life upon his estates in St. Mary's County. His will dated 16 April 1737, was proved 9 May following. He married Susanna, daughter of Col. William Burgess (b. 1622; d. 24 Jan. 1686/7) of Anne Arundel County, a member of the Council and one of the deputy Governors. Col. Burgess mentions in his will (dated 11 July 1685, and proved 19 Feb'y 1686/7) his daughter Susanna wife of Maj. Nicholas Sewall, and his grandchildren Charles and Jane Sewall (Baldwin's Calendar, ii, 12). Mrs. Susanna Sewall was living and joined her husband in a deed 11 Oct. 1705, but evidently died before him as she is not mentioned in his will.

Maj. Nicholas Sewall and Susanna (Burgess) his wife had issue:

6. i. CHARLES SEWALL[6], d. 1742, of whom further.
ii. HENRY SEWALL, d. 1722; mar. Elizabeth ..... (who mar. 2°. Philip Lee), and left issue.
iii. NICHOLAS SEWALL, d. unmar. 1732.
iv. CLEMENT SEWALL of Cecil Co., d. 1740; mar. Mary dau. of Col. John Smith of Calvert Co., and left issue.
v. JANE SEWALL, b. before 1685; d. 1761; mar. Clement Brooke (b. 1676; d. 1737) of Prince George's Co., and had issue.
vi. CLARE SEWALL, mar. 1°. Thomas Tasker (d. 1733), 2°. Wiliam Young (d. 1772). See *Magazine*, IV, 192.
vii. ELIZABETH SEWALL, d. 1752, mar. Capt. Peregrine Frisby (b. 1688, d. 1738) of Cecil Co.
viii. SUSANNA SEWALL, mar. George Douglas of Kent Co.
ix. MARY SEWALL, mar. 1°. William Frisby (b. 1699, d. 1724) brother of Capt. Peregrine Frisby (see above), 2°. 3 Sept. 1725, Dominick Carroll of Cecil Co.
x. ANNE SEWALL, d. 1789; mar. Joseph Douglas.
xi. SOPHIA SEWALL, mar. John Cooke of Prince George's Co.

6. CHARLES SEWALL[6], (*Nicholas*[5], *Henry*[4], *Richard*[3]) was born before 1685, since he is named in the will of his grandfather Col. William Burgess. He was doubtless named for his father's stepfather, Charles Lord Baltimore. He lived at Eltonhead Manor, St. Mary's County. His will, dated 8 August 1741, was proved 27 April 1742. Charles Sewall married, after 1711, Eleanor widow of John Tasker of Calvert County, and daughter of Col. Thomas Brooke of Brookfield, Prince George's County, a member of the Council

of Maryland and its President in 1720. Her first husband, John Tasker in his will dated 22 Sept. 1711 and proved 17 October following (Annapolis, Lit. 13, fol. 323) names his wife Eleanor and his minor son Thomas Tasker. Col. Thomas Brooke in his will dated 16 Nov. 1730 and proved 25 Jan'y following (Annapolis Lit. 20, fol. 125) mentions his "daughter Eleanor Sewall wife of Mr. Charles Sewall" and his eldest son Thomas Tasker. Charles Sewall of Eltonhead Manor and Eleanor (Brooke) his wife had issue :—

7. i. NICHOLAS SEWALL[7], d. 1798; of whom further.
ii. CHARLES SEWALL, mentioned 1741, in his father's will.

7. NICHOLAS SEWALL[7], (*Charles*[6], *Nicholas*[5], *Henry*[4]) of Eltonhead Manor, died in 1798. In his will, dated 21 April 1797, proved 18 Dec. 1798, and recorded in St. Mary's County, he states that he resided at Eltonhead Manor, and mentions his sons Nicholas, Charles, and Robert, and his granddaughter Katharine Kirwan. His sons Nicholas and Robert are appointed executors. He had however several other children not named in his will, and these are given below, the information concerning them being derived from family sources. Nicholas Sewall married Mary daughter of Henry Darnall of Poplar Hill, Prince George's County, and Ann Talbot his wife. Her brother Robert Darnall, died without issue in 1803 and by will recorded in Prince George's County, left Poplar Hill, to his nephew Dr. Robert Sewall.

Nicholas Sewall and Mary (Darnall) his wife had issue :—

8. i. NICHOLAS SEWALL[8], d. 1813, of whom further.
ii. CHARLES SEWALL.
iii. DR. ROBERT SEWALL of Poplar Hill, Prince George's Co., d. in Washington D. C., 16 Dec. 1820. He mar. Mary (d. 23 July 1822) dau. of Wm. Brent of Richland, Stafford Co., Va., and had a large family. His daughter, Mary Brent Sewall (b. Sept. 1808; d. 1 Jan'y 1831) was the first wife of Philip Barton Key, but had no issue.
iv. HENRY SEWALL.
v. MARY SEWALL, d. 12 Jan'y 1791; mar. John Kirwan of Baltimore.
vi. SARAH SEWALL, mar. —— Blake.
vii. CATHERINE SEWALL, d. s. p. 1807; second wife of William Digges.

8. NICHOLAS SEWALL[8], (*Nicholas*[7], *Charles*[6], *Nicholas*[5]) of Eltonhead Manor and Cedar Point, St. Mary's County, died in November or December 1813. His will, dated 18 November, proved 13 December, 1813, and recorded in St.

Mary's County, names his wife Mary, his children Henry L., Robert, Catherine, and Maria L. Sewall; and his brother Robert Sewall. His friends Raphael Neale and Lewis Ford are appointed executors. He married Mary (d. 1854) daughter of Edward and Ann (Hebb) Fenwick of St. Mary's County.

Nicholas Sewall and Mary (Fenwick) his wife had issue:—

i. Henry L. Sewall[9], d. unmarried,
ii. Robert Sewall, mar. —— Herbert, and left two sons.
iii. Catherine Sewall. d. unmarried in Louisiana.
iv. Maria Laura Sewall, b. 7 June 1812; d. 10 Dec. 1897; mar. 25 April 1833, Philip Barton Key.

The Sewall Arms.

An impression of a seal, in the possession of McHenry Howard, Esq., gives the arms of the Sewalls of Maryland as follows:

Arms. Sable, a chevron between three bees, argent.
Crest. A leopard's head affrontee.

The same arms, but with a bee volant for a crest, were borne by the New England branch of the family, and they are given in Hurd's engraved portrait of Rev. Joseph Sewall of Massachusetts in 1768. A writer in the American Quarterly Register for 1841 (p. 238) states that these arms have been handed down among the Sewalls of New England and Canada and, with a difference in the crest, among the Sewalls of the Southern States. This statement is borne out by the seal noted above. Burke's General Armory gives the same coat as the arms of Sewell of Newport, Isle of Wight, but the crest is an arm in armor holding an acorn. Another Sewell coat given in Burke is: Sable, a chevron between three butterflies argent.

MARYLAND GLEANINGS IN ENGLAND.

Communicated by Mr. Lothrop Withington, 30 Little Russell St., W.C., London, including Unpublished Notes of Mr. Henry F. Waters.

John Wood, of Dorking, Surrey, Clerk. Will 28 October 1695; proved 6 March 1695/6. Messuage, Backside and Garden in the South Streete of Toune of Dorking in tenure of Edward Cleare of Dorking, aforesaid, Taylor, vnto wife Elizabeth for life,

then to my grandchild John Lucas, son of Henry Lucas of Newdigate, Surrey, yeoman: if he die before 21, to grandchild Mary Hollis, daughter of Stephen Hollis of Dorking, yeoman. To wife Elizabeth for life, use of goods, Brewing vessells, etc. if she remaine to live in my dwelling house. To daughter Jane (wife of Francis Bowder of the City of London, Frame maker) for life, messuage, Barne, Buildings, garden and Orchard and six Acres of Arrable meadow, pasture or Woodland in Towne or Burrough of Reigate in West and boundes the Heathe there on south side of Street or way from Dorking towards Reigate in tenure of Charles Brinklow, also four Closes of Freehold Land in Westcott in parish of Dorking, called Great Furlong, little Furlonge, the Garden plott, and the Moore plott (six acres) in tenure of Stephen Hollis, but rents during life of said Francis Bowder her husband, to be taken for daughter Jane by friends Michael Jeale of Dorking, yeoman, Daniel Hall of Dorking, Cooper, Joseph Bothell of Dorking, chandler, William Bothell of Dorking, chandler, and Miles Dudley of Dorking, yeoman, and after death of daughter Jane, said messuage to Grandchildren, John Lucas, son of son in law John Lucas, and Mary Hollis, daughter of son in law Stephen Hollis, and said four Closes to son in law James Round of Maryland and Mary his wife, my daughter, and to the heirs of the body of the said Mary, in default to son in law William Round of Maryland and Martha his wife one other daughter of me the said John Wood, etc. and James Round and Mary to pay £20 to John Lucas and Mary Hollis at 21, etc. To Grandchildren one guinea each. To Cozen Daniel Netlefold the elder of Dorking 10s. To poor of Dorking 50s. To son in law Francis Bowder 5s. Residue to four sons in lawe, James Round, William Round, Stephen Hollis, and Henry Lucas executors. Witnesses: Ralph Arnold, Thomas Slater, Benjamin Ridge.

Archdeaconry of Surrey, Register 1695–1699
(no folio)

Note. By an error the article on Francis Scott Key in the June number was assigned to Clarence C. Wroth instead of Lawrence C. Wroth.

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MARYLAND

HISTORICAL MAGAZINE

VOL. IV. DECEMBER, 1909. No. 4.

LETTERS OF ANDREW JACKSON TO ROGER BROOKE TANEY.[1]

March 12th 1833

Dr. Sir

Since my interview with you to-day, I have carefully looked into the charter of the Bank of the United States. The president, from that charter, has only power to order a *scire facias* to repeal its charter when the facts warrant it.

The Secretary of the Treasury has the sole power under the charter, to manage the deposits; I have therefore confined my requirement to your opinion in writing to the violation of its charter, as from the facts disclosed in the reports of the minority and majority of the Committee of Ways and Means, the facts warrant it, leaving the Secretary to his own deliberations or to the removal of the deposits and where to intrust them, believing that he would, if he thinks it necessary, apply for directions or counsel in this matter.

From a careful perusal of the reports, this night I have come to the conclusion that my former opinion of the incapacity of the Bank to continue specie payment for one month after it meets the payment of the public debt, is confirmed; but much perplexity will occur in finding safe deposits for the public funds, and ought

[1] A few words (indicated by breaks) are torn away or illegible.

to be well weighed. On this subject I will be happy to see and converse with you, when your leisure will permit.

In haste, yrs,
ANDREW JACKSON.

R. B. Taney, Esq.

The relations in which the Government stands toward the Bank of the United States renders it advisable, if not indispensably necessary, that a decision should be now made, covering the whole ground, and which will establish rules for our Government during my administration.

With this view I invite the attention of my Cabinet to a full consideration of the following points, viz:

1. Whether anything has occurred to lessen the expression, at the late session of Congress, as to the safety of the Bank of the United States, so far as regards the public deposits.

2. Whether the management of the institution is such that the Government can rely upon it as an agent in carrying into effect the fiscal arrangements of the Treasury, as well as whether it has heretofore been its faithful agent in that respect.

3. The propriety of acquiescing in the renewal of the charter of the present Bank under any circumstances or with any modifications; and if with any modifications, what ought these to be?

4. The propriety of assenting to the establishment of a new Bank; and if a new Bank, when, and in what manner ought the suggestion to be made of my views on the subject, and upon what principles, under what limitations and with what privileges ought a new institution to be formed?

5. What system ought to be established for the future disposition of the public moneys, so far as relates to the place for their deposit and the manner of their distribution? And if the deposits are withdrawn from the Bank of the United States, would it be necessary to receive the public dues in the notes of all the Banks, or to limit their payment to the notes of those Banks that may be selected as the places of deposit, and the agents of the fiscal concerns of the Government?

The results of my own reflections are:

1. That the charter of the present Bank, ought under no circumstances and under no conditions whatever, to be renewed.

2. That the ground gained for the veto ought to be firmly maintained, and that my assent ought to be withheld from any bill authorising the establishment of a Bank out of the District of Columbia.

3. That if my assent is given to the establishment of a new Bank, it ought to be to one located in the District of Columbia, having the right to establish Branches in the different States, and in such places thereof only with the permission of the different States upon the application of the Bank for that purpose and under such restrictions as the several States may think proper to impose; and even with these restrictions, that the Government shall have the right to appoint the President and as many directors of the principal Bank and the Branches thereof as will secure fidelity and a thorough knowledge by the proper officers of the Government of its transactions; and also that Congress should retain the right to repeal or modify the charter from time to time, as it may deem proper, as a security against the corruptions and evils which are now experienced from the uncontrollable authority of the present Bank.

4. That such an institution ought not to be recommended until a full and fair experiment has been made to carry on the fiscal affairs of the Government without a national Bank of any description.

5. If this last view of the subject be adopted, it will be necessary *now* to devise and settle a system for the deposit and distribution of the public funds through the agency of the State, to go into operation at such a time as shall, upon a careful consideration of the subject, be thought most advisable.

The suggestions are submitted to the consideration and free discussion of the members of the Cabinet, giving each their opinions in writing.

ANDREW JACKSON,
March 19, 1833.

R. B. Taney, Esq.
Att^{y} Gen^{l} U. S.

(private) Rip Raps, Augnst 11th 1833

Dr Sir :

Your letter of the 5th instant has been received, perused with much pleasure, and the contents duly noted.

I am still of opinion that the public deposits ought to be removed, provided a more safe depository, and as convenient, for carrying on the fiscal operations of the Government, can be found in the State Banks, as is now found in the U. S. Bank.

The United States Bank attempts to overawe us; it threatens us with the Senate and with Congress, if we remove the deposits. As to the Senate, threats of their power cannot control my conrse, or defeat my operations. I am regardless of its threats of rejecting my nominations. If Mr. Duane withdraws, and you, nnder an agency, can carry on and superintend the Treasury Department until nearly the close of the next session of Congress, before which the battle must be fonght and all things settled, before your nomination wonld be sent in.

As to the threats about Congress, though it may be observed the Bank having been chartered contrary to the powers of Congress as defined by the Constitution, may find, when once the deposits are removed, *for cause,* that Congress is not competent to order the deposits to be restored to this unconstitutional and corrupt depository, but must find another, and that can only be the State Banks—there is none other. Bnt more of this when we meet.

I have no doubt of receiving, in a few days, in a report from the Directors appointed by the Government, proof that about $40,000 have been paid by the U. S. Bank for printing essays, pamphlets, etc., etc., in favor of the Bank, and in abnse of the Executive, and in subsidising and corrupting the pnblic journals. When this proof is furnished, of which I have no doubt, it will be considered snfficient canse for removing the deposits. If the Bank can apply $8,000 (being 1/5 of $40,000) out of the public fnnds, without any appropriation by law, it may one or ten millions. Therefore the Deposits cannot be safe in such an institntion—it might use the whole money of the Govt and stop its wheels.

I have been recently advised that a large amount of the 6 per cents which have been paid off three or four years ago, remains uncalled for, and the evidences of debt not surrendered to the Gov^{t}; therefore the Government [is] still bound for the debt to the holder of the scrip, whilst the Bank has had, and still has, the use of the money. I have directed the Secretary of the Treasury to make a short enquiry into this matter and to report the real facts of the case to me, that such steps may be taken to coerce the surrender of the stock, and to have the Government exonerated from its liability, as may be in our power to adopt. If it be that the original holders of the scrip are dead, it can only be justice to their representatives to publish to the world the fact that it appears from the books of the commissioners of loans that to A, B and C there is money due, which will be paid to the individuals who will present the evidence of debt, and make satisfactory proof that he is the legal heir or assignee. The Bank has no [lawful right] to this money. If the proper owner is dead heirs or representatives, or legal assignees, it belongs to the Government and not to the Bank. I have suggested to the Secretary of the Treasury the proposal of calling in the loan office books, and put an end to this agency of the Bank, and having this duty performed in his own Department, that when the debt is paid the evidence may be surrendered, and put it out of the power of the Bank to make any more secret arrangements for postponing the payment of the public debt. To this, it is intimated that the act of the 3^{d} of March 1817, which abolished the old commission of loans and transferred it to the Bank, will prevent the exercise of this power by the Government. This is not my idea of the law. I may be mistaken, as I have not referred to it lately, and I have it not with me. You will find it in the 6th vol. of the laws, page 192, and I ask your opinion on its proper construction and power of the Government in this particular. If the Government have no power to call for these Books, and put an end to this Bank agency, how can we know when the national debt is paid, or how much is and has been postponed by the Bank and remains unpaid by the Bank, although it has been thought by the people, and reported by the Secretaries of the

Treasury that the whole public debt has been paid except about seven millions, when seventeen may have been postponed by the Bank, and the Government now liable for the same. Should I be mistaken, then I can understand that all legislation from the charter is a the Bank, and in the charter must have been to increase its powers, open avenues for its speculations and frauds to the great neglect of the security of the Government and the interests of the people. Should we remove the Deposits I should not be surprised if the Bank would rebel against our power, and even refuse to pay to the order of the Government the public money in its vaults, and lay claim to all the money that remains uncalled for on the books of the loan office. Every investigation gives us evidence of the assumed power of this *monster*. It must be thought by Mr. Biddle that it is above the law, and beyond any control of the Executive Government. *He has boasted that it is.* We must test this matter and meet it promptly and boldly, and no doubt remains on my mind that we will be sustained by the people.

I write in haste for the mail and keep no copy, My health is improving, but I am much pestered with business which is sent after me. This will hasten my return to the city. There the burden of so much writing will be lessened. I shall remain here 8 or ten days more, perhaps a fortnight.

My little family all now enjoy health and all join with me in a of kind salutations to you and your amiable family I am very

friend

ANDREW JACKSON.

Roger B. Taney, Esq.
Attorney General U. S.

Washington, Sep^{t} 23rd 1833

Sir—

Having informed William I. Duane, Esq^{r} this morning that I have no further use for his services as Secretary of the Treasury of the United States, I hereby appoint you Secretary in his stead,

and hope you will accept the same and enter upon the duties thereof forthwith, so that no injury may accrue to the public business.

Please signify to me your acceptance or non-acceptance of this appointment.

I am, with great respect,
your most ob^{t} servant
ANDREW JACKSON.

R. B. Taney, Esq^{r}
Att^{y} Gen^{l} U. S.

Washington, Oct. 13th 1834

My dear Sir—

I should have done myself the pleasure of writing you immediately after my return to this place, but had the pleasure of seeing your amiable family from whom I have learned that you would be here in a few days.

I am this moment advised that you will not be here before the return of your family to Baltimore. If this be so, I shall regret it very much, as I have a great desire to see you and consult with you upon some important points necessary to be embraced in my message.

Your legal opinion on the charge for damages by the Bank, is much wanted upon the files of the Atty. Genl's records, as well as in the possession of the Secretary of the Treasury, on which subject I have, as well as on others, a desire to see you. Leaving these matters entirely out of view, nothing will afford me more pleasure [than] to see you as a private friend and shake you by the hand. You have my warmest friendship and most ardent wishes for your prosperity and happiness thro life, and that of your amiable family.

I remain respectfully y^{r} friend
ANDREW JACKSON.

R. B. Taney, Esq.

Washington Nov^{r} 8th 1834

My Dear Sir,

New York has nobly done her duty, and in the language of M^{r} Clay reversed, the last nail is driven in the coffin of modern whigism. We will now have peace for many years.

I was happy to hear by M^{r} Leland and M^{r} Collister that your health was improving and we would have the pleasure of seeing you with M^{r} Van Buren. Remember I have a bed and room for you. With my kind salutations to every branch of your family, I am sincerely

Y^{r} friend

ANDREW JACKSON

R. B. Taney, Esq^{r}.

(private) Dec^{br} 6th 1836

My Dear Sir,

I inclose you my message—you will see that it wants the table A. referred to. Read and give me your opinion of it as a whole. It lacks some of that energy I am wont to use in speaking of the Deposit bill, alias distribution bill, and the bank, and proper system, but I did not wish to do anything that might embarrass others coming after me, and I was [in] too much debility to attend to its common details. I have now done with annual Messages. My farewell address will be my next concern, and I shall await your views which I have solicited before I attempt anything at that. I am mending slowly and am much debilitated, having lost more than 60 ounces of blood in less than 48 hours. With my respects to M^{rs} Taney & all your amiable family I am with great respect

Yours

Chief justice
Taney

ANDREW JACKSON

(private) Hermitage, April 14th 1838

My dear Sir—

Your kind and very acceptable letter of the 19th of December last was recd in due course of mail, and has remained unacknowledged until now. For this delay I have only the apology of bad health to make. I had a return of hæmorrhage last winter, as severe as the attack at Washington, which confined me to my room for more than 8 weeks. The fine weather in the latter part of March, invigorated and gave me great hopes of better health than heretofore; but the very sudden change in the present month admonished me that my hopes were too sanguine; and to prevent a return of hæmorrhage I have been obliged to apply the lancet and return to a very light diet. This has again had a good effect, and I hope as soon as the summer commences and we have uniform good weather, that I may again be able to take horse, ride over my farm, and visit occasionally my good neighbours. The balance of my family are in good health, and join with me in kind salutations to you and your amiable family. In my family your good friend Col. Earle is included. We are all highly gratified to learn that your lady and family had returned from their country residence with improved health, and join with me in best wishes for a long continuance of that greatest of blessings. For be assured that that energetic aid I received from you in the most trying period of my administration will not be forgotten by me as long as I live. I often review in my mind these scenes, and fully appreciate that talented and energetic aid I received from you and Mr. Kendle. It was that firmness of character displayed by you both, and high talent, that made you and him the target for their hatred and calumny so bitterly displayed against you and myself; but a virtuous people has and will in the end do justice to us all.

During my confinement I had my son to aid me in another search for the letter you want. I am now confirmed in the opinion that when I was so ill in Washington, and gave instructions to my son to have burnt all letters marked confidential except those of Mr. John Randolph of Roanoke, and one or two

others, that was preserved as a shield to my post-mortem reputation. Not one of yours marked confidential have I found. One marked only private is still safe, and will, with pleasure, be handed over to you, if desired, when I have the pleasure of seeing you at the Hermitage, which I hope will be this summer.

The view you have taken of the Treasury notes issued by the Government, corresponds precisely with my own; and to Mr. Grundy I personally pointed out the results that would happen, and which have happened, and I gave my opinion freely to Mr. Blair, who made it known to the Cabinet. The policy was a bad one, under the existing circumstances. When it must have been known that the Banks would unite with the opposition to depreciate them, to issue any bearing a less interest than six per cent was suicidal. This might have sustained their credit under the powerful opposition, and none ought to have been issued on any other basis but that which would have fully sustained the credit of the Government. I had another objection to Treasury notes. I can find nowhere in the Constitution the power granted to the general Government to issue a paper currency. It has the power to borrow, and by its drafts to change the deposits from one place to another to meet the appropriations made by law. The money borrowed must be specie, as none other can legally be paid out to public creditors.

It is true, Treasury notes were issued during the late war. They depreciated, and their issue was not justified on constitutional grounds, but only on the ground of necessity. This must be a real necessity to excuse the departure from the Constitution, and not a feigned one. In a state of war, such necessity might arise, the safety of the country might imperiously demand it. But in a state of profound peace, our country prosperous, with thirty millions of surplus revenue on hand, no case of real necessity can be made out. Therefore, it was vitally wrong to make a feigned necessity the basis for issuing them. The Banks ought to have been coerced to have yielded to the Government the deposits in specie, and on the drafts of our Government being dishonored, suit ought to have been brought against every Bank and its securities. This I urged on Mr. Woodbury. Had this course

been adopted, I would vouch for it, the Banks would have paid up faithfully; but they were indulged and left at liberty to dishonour the drafts, refuse the pay their own notes, and to sell the specie thro' brokers, at a large premium, to be sent to Europe. A woeful policy, thus to destroy the credit of the Government for the benefit of those who had adopted measures for its destruction, and Government adopting measures for the relief of the Banks, bankers, speculators and brokers, to whom alone can be ascribed the real cause of all the evil produced to the country. The merchants are the bankers, and the relief given to the merchants and bankers, leaves the labour of our country to groan under the load and evil of a depreciated currency, brought about by the avarice and fraud of our trading merchants, and Bank overissues to satiate the greedy appetite of speculators and gamblers, to the great injury of our whole country. The Banks are struggling for the sovereign power. The only balm for the country is a complete divorce from all banks; and I have been astonished to find that such a bill had not at once been introduced, leaving to another bill all and every regulation about the funds receivable in payment of the public dues. First regulate where the deposits shall be made, how the revenues are to be kept, and whether by our own agents, over whom there is control, or that of corporations over whom the Gov^{t} has no control. This done, then the powers of the Government, under the Constitution, to regulate the currency, is fairly open for discussion; but the first question is: by whom and where our revenue is to be kept. If our General Government, for general purposes, are independent of the States, I suppose the question would solve itself—that the taxes collected must be kept by its own agents over whom the Government has complete control, and not by agents of corporations over whom the Government has none. It is, therefore, that I have regretted to see this simple question encumbered with so many details about the currency. Still, I hope the bill may pass, as it contains the principle of separating the Government from the Banks.

What an unenviable situation has Mr. Rives got into. I was fearful he had got wrong before I left Washington. His calculation must have been to raise a third party who would hold the

power in their hands—that he would be second choice of the Whigs, and then, rather than not defeat Mr. Van Buren, the Federalists and Bank power would take him as second choice for the Presidency, and the conservatives and Federalists of the new school Whigs would carry him into the Executive chair. Must he not feel mortification when he is told by Clay that his amendment is a half-way stage to the great national hotel, where he is willing to stop one night on his journey thither. His fate will be that of Burr and old Judge White—first used, and then hated and forgotten.

But I must close. I find my strength failing, and my head aching. Expecting to see you, if I live thro' the summer, I bid you for the present an affectionate adieu, and remain

Your friend sincerely

ANDREW JACKSON.

The Hon^ble^ R. B. Taney
Chief Justice of the U. States

P. S. I am too much debilitated to copy, and as it is for your own eyes, you will pardon the errors it contains.—A. J.

(private) Hermitage, October 10^th^ 1839

My dear Sir

Your kind letter of the 31 of last August has been for some days before me, but being desirous to see the real character of our Legislature when assembled, has delayed my answer. Our Legislature assembled on the 7^th^ instant, and I can now assure you that we have a decided Democratic majority in both branches, united and firm, and have given full evidence that neither the intrigues of Bell, Foster & Co., aided by the personal presence of Judge White, can overawe them or control their actions, or prevent their instructing their senators, and requesting our representation in Congress to vote for the constitutional Treasury, the separation of the Government from all Banks, both state and national, and against all gag laws, and Mr. Clay's Land bill and

national bank, and for the repeal of the tax upon salt. Thus, you see, they are embracing all our great federal relations and I have no doubt will carry them through.

Myself and little family had a hope that we would have had the pleasure of seeing you and part at least of your family at the Hermitage the past summer, and seriously regret the cause that has prevented it; but we all rejoice to learn from your letter that your health is restored, and add our fervent wishes that you may long continue to enjoy that greatest of blessings, and yet hope the next summer to have the pleasure of seeing you at the Hermitage. My whole household, together with Major Donelson and Mary, join me in kind salutations to you and all your amiable family.

My health has been benefitted by taking the Matchless Sanative, but I am greatly afflicted otherwise, and particularly by head and ear-ache, that at times render me incapable of writing, having greatly impaired my hearing and vision, and, when attacked with it, my recollection; but I still hope that as my strength increases, these affections may subside or be less frequent. I have just returned from a visit to Nashville.

Mr. Duane, just before our elections, furnished the opposition with his book to aid their sinking cause, and sent me a copy; but he was mistaken if he supposed I would condescend to make a reply to it. Hearing that one of my Whig relations had been secretly traversing the neighborhood with it, and charging that I had offered to bribe Duane to be silent, I took the occasion on the morning of the election to expose him to the people, since which Mr. Duane and his Book has not been heard of and the secret conduct of the Whig has placed him in a very unenviable situation. The conduct of Duaue, as exposed in his Book, has destroyed him in the estimation of all honorable men. But as he has written a Book containing so many positive falsehoods, I think with you that it is altogether proper to leave, for the benefit of the faithful historian, Major Donelson's and your statement. Major D. was present at all interviews I had with Duane, except when my Cabinet were convened, and can testify to the positive falsehoods contained in Mr. Duane's Book, of which, he says, he made memorandums. They are like the memorandums of Mr.

Adams about the Spanish treaty, which I proved from his own records to be false. I will prove, by Major Donelson, his (Duane's) statements to be false. This, with his violation of all confidence as a member of my Cabinet, will leave him where all such ought to be placed in the estimation of all honorable men. I therefore will thank yon for your statement which, with Major Donelson's, will enable the historian to place Mr. Duane and myself in our proper positions. I will therefore thank yon to forward it as early as your convenience will permit.

My dear sir, how much gratification it would afford me to have a few hours personal conversation with you.

You will see that onr modern Whigs have weekly meetings in Nashville, have sent for Clay aud White to aid them. This is to give Bell capital for the Speaker's chair, but rely on it, the opposition is dead in Tennessee.

Your friend

ANDREW JACKSON.

The Hon^{ble} R. B. Taney.

Hermitage, Nov^{br} 27th 1841

My dear Sir—

I am, from affliction and disease, become a bad correspondent. Yonr much esteemed favour of the 30th of September has been received long since, and often have I been resolved to take np my pen and acknowledge its receipt, bnt have been hitherto prevented from various causes.

I have been greatly afflicted through the past summer. Over and above my common discase, twice have I bcen seriously attacked, the first most seriously and suddenly, in which, for six hours, I suffered more acute pain than I ever expcriencod thro' life, and from which my life was greatly endangered. The second was the chills and fever, which left me much debilitated, and from which I am gradually recovering to my nsual but fceble hcalth, through the mercies of a gracious Providence.

I now have the great pleasure of congratulating yon and my beloved country on the result of the elections over thc whole

Union, and the triumph of Democracy. The result realises my confidence always placed in the people. They may be deluded for a while by designing demagogues, as they were during the late canvas for the Presidency, but the outrageous proceedings of the Federal Whigs at the late extra session of Congress, has opened the eyes of the people to the dangers to which their constitutional liberty was exposed by the daring usurpations of Clay and his obedient majority, and has aroused the people to their danger, and being thus awakened from their delusion, they have taken their stand and will hurl those usurpers from their ill-gotten power obtained by the vilest and most corrupt means, and on their native dunghills set them down, there to remain as living monuments of corruption, and enemies to republican government.

When Providence, in his wisdom, took to himself Gen[l] Harrison, I received it as a divine interposition to save the Union, as I believed that he would have been a mere puppet in the hands of Clay, to approve all Clay's edicts which he might prepare through his obedient majority in Congress, for I did believe that Tyler never could be brought to approve a national bank of discount and exchange, when all his public acts and declarations thro' his whole political life had been opposed to such institutions, and so I wrote Mr. Blair before Mr. Tyler's first veto. We have now nothing to fear from the establishment of a national Bank. Tyler will know how to be firm on that point; and I have no doubt but he now regrets that he had not put his veto upon the distribution land bill, and his not suspending the act repealing the independent Treasury until some other safe repository for the public money had been adopted. Tyler being opposed to the executive holding the purse and the sword, on this ground alone he might not have suffered the Independent Treasury bill to have been repealed until some other repository for the public moneys had been provided; but I have no doubt but the next Congress will repeal the distribution bill and re-enact the independent Treasury law. Tyler will recommend it with some amendment to save appearances—such as this, perhaps, to give to the keeper a power, where an individual deposits his specie, to give to the depositor a treasury draft for the amount on the holder or keeper of the public money

at the point the individual making the deposit wishes to use it. Such policy I am opposed to. I wish to see the Government free from all connection with corporations or individuals, giving equal protection to all, granting exclusive privileges to none, exercising the powers expressly granted by the Constitution to the great general concerns of our nation, interfering with none of the reserved rights to the States or to the people.

Clay, I think, with all his unblushing effrontery, cannot now appear in the Senate—he must resign—he cannot face the sarcasms that will be cast upon him for his repeated bold assertions that the people wanted a fiscal corporation, which he so often repeated throughout the debates in the called session in the Senate. We have lost greatly in our national character abroad in the last two years. I hope the triumph of democracy will soon regain it, and we will live in peace, respected abroad, in harmony at home, and that our republican system, administered on the true principles of the Constitution, may long endure.

I am happy to hear of the good health of your family, and that your own, with care, continues usually good. May you and yours continue to enjoy that greatest of blessings, in which [wish] my whole family unite, and beg that their kind salutations should be presented to you all.

It would afford me great pleasure to have the pleasure of seeing and conversing with you. From your arduous duties and the care necessary to be taken to preserve your health and useful life, I now despair of ever having that pleasure. I am well aware that my glass is nearly run out, and I am awaiting the call with composure, ready to say, with due submission, "the Lord's will be done."

But living or dying you have my sincere regard, friendship, and esteem.

ANDREW JACKSON

Chief Justice
R. B. Taney.

Hermitage, June 15th 1842

My Dear Sir

I have had the pleasure to receive your very acceptable and kind letter of the 22nd of May last. It reached me in bad health, a severe attack of chills and fever, from which I am very slowly recovering. I seize the first moment of leisure, since I have been able to wield the pen to acknowledge yours of 22nd.

My health may be well compared to an expiring taper, which sometimes is apparently going out but again shines out with apparent vigor. Just so with me; and how long the taper of life may continue to burn, an all wise providence only knows, and I await the summons with calm resignation.

Nothing would have afforded me more sincere pleasure than to have seen you at the Hermitage. But the Labour you have to perform, and [your] not very vigorous health, forbid me now to expect that gratification. I hope we will meet in a happier clime, where the wicked cease to trouble and the weary are at rest. I feel truly grateful for the benedictions of my friends, and the anxiety expressed for my health. To all be pleased to offer my sincere thanks.

Be pleased to present to every branch of your amiable family and accept for yourself, the kind regards and best wishes of myself and family, and believe me sincerely your friend

Andrew Jackson

R. B. Taney Esqr
Chief Justice of the United States.

COL. JOHN EAGER HOWARD'S ACCOUNT OF THE BATTLE OF GERMANTOWN.

[From the autograph in the Harvard Library. Transcript given to the Maryland Historical Society by the late Justin Winsor, Librarian.]

D^r^ Sir

On reading your account of the battle at German Town, and General Pinckney's letter to Judge Johnson, with the Judge's comments, I determined to write to you, in order to correct some inaccuracies, which I can do from my own knowledge:—

"Sullivan's Division was composed of the seven Maryland Regiments and Hazen's Regiment, formed into two Brigades under Smallwood and Gist; but neither of those Officers were present, they having command of the Maryland Militia under General Greene. I was Major of the Fourth Regiment, commanded by Col. Hall, which was on the extreme left of the division. Sullivan on the march followed closely the advance. As we descended into the valley near Mount Airy, the sun rose, but was soon obscured. The British picket at Allen's house had two six pounders, which we several times fired at the advance, and killed several persons.

Sullivan's division in the Valley, left the road, and moved to the right through fields, and formed in a lane running from Allen's house towards the Schuylkill. Our left about two hundred yards from the house. Soon after being formed, we had orders to move on, and advanced through a field, to the encampment of the British Light Infantry in an orchard, where we found them formed to receive us. A close and sharp action commenced, and continued fifteen or twenty minutes, when the British broke and retreated. In our regiment four Officers, and upwards of thirty men were wounded; and to the best of my recollection several men were killed.

In the advance we had inclined to the left, until we reached the

road; and in the action one Company, commanded by Cap^{t} Daniel Dorsey, crossed the road. It is certain that no other part of the army was up with us at that time.

I recollect many of the circumstances of this affair, as perfectly as if it had occurred yesterday. Colonel Hall, who was on foot, ordered me to bring up the Company that had crossed the road; but finding them engaged from behind houses, with some of the enemy, who, I supposed, had belonged to the picket, I judged it not proper to call them off, as it would expose our flank. I reported to Col. Hall, who then desired me to let him have my horse, and said he would bring them up himself. Riding one way and looking another, the horse run him under a cider-press, and he was so hurt that he was taken from the field. I was then left in command of the Regiment, as Lieu^{t}. Col. Smith some time before had been detached to Fort Mifflin. The enemy by this time had given way, and I pushed on through their encampment, their tents standing, and in the road, before we came opposite to Chew's house, took two six pounders, which I supposed were those that had been with the picket, but as the drag ropes had been cut and taken away, we could do nothing with them. I had orders to keep to the right of the road, and as we passed Chew's house we were fired at from the upper windows but received no injury. We passed on, to the rear of several stone houses, four or five hundred yards to an orchard, where we were halted by Colonel Hazen fifteen or twenty minutes or more until the troops who made the attack on the house had retreated; when we had orders and retreated, inclining further from the road. As we passed opposite the house the enemy sallied out, one hundred or more, and fired on our rear. Some of my men faced about, and gave them a fire, which killed the Officer in front, and checked them. We then retreated at leisure.

I speak particularly of the left of Sullivan's division, and can say but little of the right, as it was not within my view after we first formed. But I know that in advancing they fell in with some part of the enemy, and had a sharp action, in which Col^{n}. Stone of the First Regiment, Major Forrest of the Third, and many other Officers were wounded. Whether any were killed I

do not recollect. No doubt they had a number of men killed and wounded. By comparing this statement with your own, you will perceive that we agree in the most material facts, but differ as to some others.

You say, "Whether delay in the advance of the division in our rear was occasioned by the pause at Chew's house, I am satisfied that Sullivan's column did not halt there at all, as mentioned by Judge Johnson."

I am positive you are correct, although the Judge after seeing your account, and Pinckney's letter, says, "*The halt of Sullivan's division* was without orders" and refers to the letter of Pinckney, who does not say that *Sullivan* halted, but only "that at the house the men unfortunately halted." I will now state wherein I differ from you. You say "the general engagement must have commenced after he [Sullivan] *had passed Chew's house*, for I saw not one dead man until I passed it, and then but one, lying in the road, near where I fell in with General Sullivan." This is in direct contradiction of the part of General Washington's letter you have quoted. The General there says—"Sullivan's advanced party attacked the enemy's picket at Mount Airy, which presently gave way; and his main body followed soon, engaged the light infantry and other troops, encamped *near the picket*." You have been led into this error, by not seeing any dead men before you passed Chew's house. Had you moved to the right of the road, thirty yards, you would have seen a number dead, and the enemy's tents standing. You say "I presume that following close on the heels of the British battalion of light Infantry, and the Fortieth Regiment which were retiring before him, Sullivan with his column had passed Chew's house *without annoyance from it*; For it must have taken some time for Musgrave who entered with six companies of the fortieth regiment, to barricade and secure the doors and windows of the lower story, before he would be ready to fire from the chamber windows." I am confident that you, as well as most historians have been led into an error, in stating that Musgrave was with the light infantry. I am satisfied that he was not there, but with the fortieth regiment was encamped in the field, near the house. I have been at the house more than twenty

times since, and have frequently been shown the place where he was encamped, back of the house near the summer house. I am confirmed in this opinion by a son of M^r^ Chew's, who says that the people of the neighborhood to this day shew the place where he was encamped. I presume that General Howe, seeing the advantageous situation of the house, upon high ground, descending every way and cleared all round, posted Musgrave there, with orders to occupy the house, in case of attack. If he did, he certainly shewed his military judgment. Besides, as we followed so close on the heels of the light Infantry, I think that if Musgrave had been with them, he could not have reached the house, and taken possession of it before we passed it; and that I must have seen them on their way. I did not see any men on that side of the road. After we passed the house some stragglers of the enemy were discovered among the houses on the right of the road, probably wounded, and we fired at them as they were making their escape. No doubt the man you saw *lying dead in the road* was one of them.

Neither you, nor Pinckney, nor Judge Johnson, make any mention of Wayne after he formed on the left of the road. I believe the following account of him will be found correct. As Sullivan's division was in front, his rear would be up in line, before Wayne's front reached their ground; and as Sullivan moved on as soon as formed, he of course got ahead of Wayne, whilst the latter was moving his rear into the line. This will account for his not being up at the attack on the light infantry. As Wayne was on the same side of the road, the house was directly in his way; and he could not avoid it without making a considerable circuit, which those who know him will not believe him disposed to do. I have other reasons for believing that he was up at the house.

Marshall says: "Great loss was sustained in the attempt to storm the house. The men boldly advanced to the house, and made every effort to force the doors and windows." They also attempted to burn it by putting fire to the window shutters, which were very strong and well fastened. I saw some years afterwards, the marks of the fire on the shutters. A Cap^t^ White was killed at one of the windows. He was so close that they could not fire at him from the upper windows, and he with several others were

killed from the Cellar Windows. Marshall says "The Brigade engaged with Musgrave drew off some distance, and brought up a field piece, which played on it [the house] without making any impression." "Great efforts were made to rally the American troops, when the retrograde movement commenced; but they were ineffectual." The right of the left wing got so out of its course, as to be entangled with Chew's house." It is certain that several corps were thrown out of their way by the firing and in the fog got so intermixed as to cause great confusion. Judge Johnson observes: "That whatever delay took place at that point was very brief and unavoidable; and was provided against with promptness and judgment." No doubt General Washington did every thing to remedy the evil, but all his efforts were unavailing; for they had suffered so severely that they (as Marshall says) drew off some distance, in other words, retreated.

General Pinckney says: "The General said to me, do tell the Colonel I have already directed the army to file off to the right and left." Owing to different corps being intermixed, and the dense fog, it could not be done.

Judge Johnson, in his remarks, says: "Colonel Pickering, in his answer to the 4th query, expressly confines the halt to what he terms the rear division; and which, all the world knows, must mean the reserve under Lord Stirling." Your words are: "Whatever delay in the advance of the division in our rear was occasioned by the pause at Chew's house I am satisfied that Sullivan's column did not halt there at all." I suppose by "the division in our rear" you meant Wayne and in reference to Sullivan, who you had left considerably advanced, I think your expression is correct. I am positive that Sullivan's division, did not halt at the house. I wish to be understood that whenever I speak of Sullivan's division, I mean his own proper division: that is the Maryland troops, and Hazen's regiment.

It seems to me that the Judge has been led into an error by General Pinckney placing Wayne under Sullivan, as commanding the right wing. Nominally Wayne might be considered as under his command, but I believe Wayne was not under his orders on that day. For if it had been the case, he would not have moved on as he did, leaving Wayne behind, and his left

flank exposed. It does not appear that there was any concert between the division during the day. Besides General Washington was up with Wayne, and no doubt, gave him orders. When you say that Sullivan's column did not halt there at all, it seems evident to me that you mean his own proper division. Whether Sullivan had orders to halt as I have stated, four or five huudred yards beyond the house, or whether he was induced to do so by the division on the other side of the road not being up to support his left flank, I do not know. We were halted so long that our men sat down some time, being greatly fatigued by haviug been on their feet from seven o'clock the preceding evening.

Whilst we were halted, the British Army were formed in the School-house lane, directly in our front, six or seven huudred yards from us; but owing to the denseness of the fog, which had greatly increased after the commencement of the action, we could not see them. About the time of the attack on the house a part of Muhlenberg and Scott's Brigades, from the left wing, particularly the ninth Virginia Regiment, commanded by Col. Matthews, advanced to the Eastward of Chew's house, and penetrated to the Market house. The British General Grey, brought from their left the fourth Brigade under Agnew and three Batalions of the third, and made an attack upon them, whilst they were engaged with two regiments brought up from the right wing. Thus assailed in front and ou both wings, Matthews defended himself with great bravery, and did not surrender until the most of his Officers and meu werc killed or wounded. He himself received several bayonet wounds. Marshall says "that part of the third and fourth Brigades were detached from the left under Generals Grey and Agnew, to attack the front of the column led by *Sullivan*, which had penetrated far into the village, whilst its left was detained at Chew's house." Why draw off troops who were directly in front, to their right, to attack him? It is evident they were moved from their left to their right, to attack Matthews, who, it was said, had taken some of their artillery.

Besides Sullivan had previously retreated; for we heard the firing at that place, after we had retired some distance. I have seen the accounts of several historians stated in such a way as to induce a belief that the whole of the enemy's tents and baggage

fell into our hands. The fact is that it was the tents and baggage of the light infantry and Musgrave that were taken in our quarter. Whether General Greene took any tents and baggage I cannot say. Judge Johnson observes, "It is true that General Washington when he wrote his dispatches had an idea that the surprize was complete, but it was as Gordon asserts, because he supposed had it been otherwise, the enemy would have advanced beyond the village to meet him. General Howe had chosen his ground with judgment. His left wing extended from the Market house, along a ridge called the school house lane, to the falls of Schuylkill, and his left flank was well protected by the river, and by the Hessians posted on the high strong grounds. His front was difficult to approach, being much intersected by ravines and enclosures. On his right wing, he covered the road which entered the village—at the Market house from the North Eastward. He had posted the light Infantry and Musgrave in his front, to check the advance of an enemy, and he had posted light Infantry on his extreme right, to protect that flank. I cannot see any reason why he should leave the ground he had chosen, to meet General Washington.

I am y^{r} obed^{t} Serv.,

JOHN E. HOWARD.

Baltimore, January 29th, 1827.

P. S.—Since writing the above I have read the account of the action by Wilkinson who in his memoirs Vol. I, page 363 says "The 40th regiment was encamped three quarters of a mile in the rear of the light infantry, in a field of B. Chew, Esq^{r}, and eastward of his country seat." To which he adds the following note, "This fact is derived from Cap^{t} Campbel of that corps, who was wounded in defence of the house."

COLONEL TIMOTHY PICKERING,

Massachusetts,

Salem.

(The preceding copy is in Col. Howard's handwriting, and was given to me by him in Baltimore soon after it was written.—J. Sparks.)

SIEGE AND CAPTURE OF HAVANA IN 1762.

ROBERT BURTON.

It has often been said that events move in circles, and that history repeats itself. And to-day,* while praising our noble volunteers in their struggle against the fierce foe, and the fiercer fever, against militarism and mismanagement; we must remember that once before Cuba was assailed by English-speaking soldiers; that once before Havana succumbed to the soldiers of England, and the volunteers of Colonial North America. And of the many conquests which were made by the English in the Seven Years' War, none were more remarkable than that which placed Havana in their hands, practically giving them possession of the Island of Cuba. And their disposal of their splendid prize was one of the chief causes of their failure to conquer the thirteen States in the War for Independence.

In the Winter of 1762 those hereditary enemies, England and France, as usual were at war. During this period the agreement between France and Spain, called the "Family Compact" came to light, and England believing that an open foe was better than a secret enemy, took the sturdy advice of the sagacious Pitt, declared war against Spain, and determined to strike a crushing blow at once at the heart of her power and riches, namely Havana.

Havana has been called the heart of Spain's power, and having due regard to the Spanish Colonies of South America, the epithet is justified; for this City was the key to Mexico, and indeed it was Philip II who gave to Havana a coat-of-arms having a golden key, to signify that it was the key of the Indies. Here came the Spanish galleons with their great stores of yellow diamonds from Brazil, and gold and silver gathered from rich Mexico and opulent Peru, the lands of the Aztecs and the Incas. Here

* Written in 1899.

the precious fleets rested from the perils of buccaneer and storm, preparing for their final flight across the broad Atlantic to the ports of Spain. To take Havana was to break the spinal cord which connected Spain with her great Colonial Empire.

The soliloqny of Macbeth, "If it were done, when 'tis done, then 'twere well it were done quickly," is, and onght to be the sonl of war; but when steam was not, the world was a slower place, and men moved, and indeed had to move, slower.

During this particular winter, a large force, under the command of Major General Monckton, had been sent to the French island of Martinique, and it was determined to utilize these troops in making an attack on Havana.

The blow was to be a sudden and crushing one, but there was the greatest difficulty in collecting enongh troops and ships for such an enterprise. Orders were sent to General Monckton to collect all the troops that could be spared, which were thonght to amount to abont 8000 men. This force was to be increased by 4000 regulars sent from England; and Sir Jeffrey Amherst, Lieutenant-General of his Majesty's forces in North America, was ordered to send 2000 men and to see that 2000 Provincial Volnnteers were raised to serve in this Expedition. Altogether it was expected that there would be abont 16,000 troops to be used against Havana. Admiral Sir George Pocock was to command the fleet, and the Earl of Albemarle, whose father was Governor of Virginia in 1737, and whose grandfather Arnold Van Keppel came over to England with William of Orange, was to command the land forces.

Accordingly in pursuance of this plan, on March 5th, 1762, an army, composed of several regiments amounting to more than 4000 regular troops, set sail from Portsmonth, England, in thirty transports, accompanied by nineteen store-ships and eight vessels loaded with artillery, guarded by six ships of the line, making altogether a very large fleet. Soon after their departure, a violent storm arose which so scattered the sqnadron that it did not completely unite again until April 20th, when the flagship *Namur* arrived at the Barbadoes after a voyage of forty-five days. Here, Major Monypenny, aide-de-camp to General Monckton, had

been sent to acquaint Lord Albemarle of the success of the English arms against Martinique.

On April 24th the fleet sailed from Carlisle Bay and arrived on the 26th in Cas des Navières Bay. At this place the Admiral and the Earl of Albemarle assumed command of their respective departments and everything was prepared for the secret expedition. The troops now added to the expedition consisted of nine regiments, which, with the Royal Artillery and Engineers, amounted to over 5000 men. This number was further increased by some regular troops brought from South Carolina, swelling the total number of soldiers above 11,000. Besides the troops, about 1000 negroes were hired in Martinique to be taken to Havana.

Everything being in readiness, the fleet set sail from Martinique on May 6th, and soon after arrived at Jamaica where they were joined by a fleet under Sir James Douglas, and another under Captain Hervey. The ships, with snowy sails and pennons fluttering, doubtless made a fine spectacle, but would have contrasted strangely with the monster ironclads of to-day. But this was no mean fleet. For England had brought against the strength of Havana twenty-four ships of the line and twenty-two frigates, with one hundred and fifty transports; probably one of the most powerful squadrons ever sent out by the Mistress of the Seas.

Commodore Keppel, brother of Lord Albemarle, was second in command, while another brother, Major-General Keppel, was third in command of the army. On board also, was Howe, who as Lord Howe, was to bow at Brandywine and Germantown to the genius of Washington, and Elliot too was there, who has gone down to history as the immortal defender of Gibraltar.

Now ere the majestic fleet proceeds on its way, something should be said about the provincials, the ancestors of those troops who frustrated the spruce Burgoyne, captured the City of Mexico, and engaged in that gigantic but unnatural struggle which made every spot of Virginia sacred by the spilling of precious blood. The policy of Great Britain has ever been Roman in this; she has believed in fighting her battles with troops recruited from all parts of her vast empire; and this intention has become largely a

fact since the days of Lord Beaconsfield. But even in the times which we are considering, the British War Office had cast admiring eyes on the men of the provinces of North America. In many ways she had tried to induce a sufficient quantity of these hardy men to join her regular army. But this by no means met the tastes of the colonists. They were not reluctant to fight; they were willing to volunteer for six months or even for a year, but only for service in North America; to go abroad was quite another thing. Regiments were, however, raised, notably the "Royal American Regiment of Foot."

No account of this expedition would be complete unless a sketch were given of this most famous Regiment. An Act of Parliament of November 13, 1755, authorized the formation of a regiment of foot in North America. In the following month, the 62nd, or Royal American Regiment of Foot was raised. This Regiment was intended to combine the characteristics of a Colonial Corps with those of a Foreign Legion. For the men were composed mostly of German and Swiss Protestants who had settled on land assigned them by the British Government. The regiment was divided into four Battalions, and consisted of 4,160 men, 101 officers and 240 non-commissioned officers. The officers were of mixed nationalities, and consisted of English, Scotch, Irish, French, Dutch and Germans. The Colonel in Chief, in 1772, was Sir Jeffrey Amherst. In 1756 the title was changed to the 60th, or Royal American Regiment of Foot. Different divisions of this Regiment were stationed in Canada, Pennsylvania and South Carolina. Among the battles in which this regiment was distinguished were the capitulation at Fort William Henry in 1757, the Louisburg Expedition in 1758, the capture of Ticonderoga in 1759, and also of Quebec in 1760, beside several other less important engagements.

This celebrated regiment is still in existence, though now known as the "60th King's Royal Rifles," and has distinguished itself in a number of the great battles of the world, among which are Talavera, Ciudad Rodrigo, Taku Forts, Kandahar in 1880 and Chitral in 1892, besides many others.

Particular interest hangs around the 3rd Battalion, for after

having taken part in the capture of Martinique, it had joined the Havana Expedition.

War against Spain had been declared at Whitehall on January 4, 1762, but was not proclaimed at New York until April 3rd, a month all but two days after Admiral Pocock and Lord Albemarle had sailed from Portsmouth. The British Ministry did not want it known for what point the expedition was bound, in order that the Spaniards might not get wind of the enterprise and thereupon strengthen their defenses. So for some time the American troops did not know for what expedition they enlisted. Governor Hardy of New Jersey in writing to the Earl of Egremont, Secretary of State, on April 29th, stated that he had received the proclamation of war against Spain and that the Assembly had voted the number of men for the Provincial Regiment and had granted encouragement for enlisting in the Regular forces.

Of the Provincial troops called upon for the Havana Expedition, 500 were from New Jersey, 800 from New York and 1000 from Connecticut. Two companies of 207 men were raised in Rhode Island, and four companies from South Carolina had already departed with General Monckton for Martinique. It would be interesting to know something more about the South Carolina Troops, regarding their number and personnel, particularly as at that time the Regiment in actual service was commanded by Col. Thomas Middleton and was officered by such men as Richard Henry Lee and Pickens. What part, if any, of this regiment went to Havana, is unknown, though the writer has diligently searched the authorities for their whereabouts.

All the Provincial troops were under the command of Major General Phineas Lyman, who was Colonel of the 1st Connecticut Regiment. He was born at Durham, Connecticut, iu 1716, became a distinguished lawyer, a representative in the Assembly, a judge, and was appointed Major General and Colonel in 1755. In all these employments he rendered important services to his country, and gained a high reputation for bravery and military skill. Of these regiments and their perils by land and sea, something will be said later.

With more or less backing and filling; with the creaking of cordage and blocks, and hoarse roarings through the speaking trumpets, the expedition left Jamaica behind, and arrived off Cape Nicholas on May 23rd. There were two routes open to the Admiral; the easier was to sail along the south side of the Island of Cuba, and by turning around the west end of the Island, to beat down to Havana; and thus by a long, circuitous, safe route reach his destination. But not only would this take much time; it would give full notice to the enemy. The near way was through that intricate and dangerous passage, 600 miles in length, called the Old Straits of Bahama. However, it was the short way, and Pocock never hesitated. He passed through the Straits, and blocked them against French assistance. On June 6th the fleet came in sight of Matanzas, a small town, six miles east of Moro Castle.

Shortly after, the whole armada dropped anchor, with the exception of twelve ships of the line, which under the command of Admiral Pocock himself raced to the mouth of Havana Harbor, and bottled up the Spanish fleet. These ships, by making a feint on the west side, also drew away the Spaniards' attention from the point where the English proposed to disembark. If there was bustle on board the English squadron there was agitation and consternation inside the lines of Havana; for the Captain General, Don Juan de Prado Puerto Carrero, found it so difficult to believe that the English intended to attack him, that he would not allow any precautions.

Havana was a beautiful city, situated in the most beautiful part of the island, with a harbor so wide and deep, that a thousand ships could anchor there without confusion. Its large and elegant buildings were made of stone. It had eleven rich, magnificent churches, whose lamps, candlesticks and altar ornaments were made of gold and silver. It had, in the year 1762, a population of over 46,000 souls. The people were renowned for their politeness; and in their dress and habits were close imitators of the French.

Havana was strongly fortified and garrisoned. In the City were 4000 regular troops; and if we take into consideration

militia, and the large parties of armed negroes, the fortifications were guarded by 17,000 men. In addition 9000 armed sailors and marines could be drawn for the defense of the City from the twelve war-ships in the harbor. Spanish officers too, were worthy of the times when the Spanish infantry was counted as the best in the world. And one name should be particularly recorded, that of Captain Don Luis de Velasco, a naval officer, the commander of the Moro Castle, whose determination, skill and dauntless courage compelled the admiration of his British foes. The forts which these combatants manned were strong and numerous. At the entrance of the narrow channel which led to the harbor, towered the Moro Castle. Further up on the east side of the harbor was the Fort of the Twelve Apostles; while a little higher up the Sheppard's Battery showed its teeth. There were forts, too, on the Cavanos Hills, which ran along the east side of the harbor, while in the marshes on the west side, behind a deep ditch frowned the Punta Fort. Further back on high ground rose the spire of the church of Guadaloupe.

But let us return for a moment to the English fleet. The Captains were all gathered in Commodore Keppel's cabin, who made them a bluff little speech, which is probably not diminished in the historical telling—"Courage, my lads," cries Keppel, "we shall soon be as rich as Jews: Havana is paved with gold which the lubberly Dons have gathered for us; and the Admiral has just given us leave to take yonder town with all its treasures, so you see our fortunes are made, for the place can never hold out against us. And now aboard, and when you get there let the purser give every man a can of punch to drink prosperity to Old England, and then we shall go about our business with the proper spirit." The report of this speech was greeted throughout the fleet with cheers, dancing of hornpipes and general jollity.

In spite of the evening revel, the business of the next day was carried out with skill and dispatch, for at daybreak the next morning, which was June 7th, in one hour and without opposition or the loss of a man, the whole army was landed.

Shortly after landing, with the army divided into five brigades, Lord Albemarle crossed the River Coximar, three miles east of

Havana, with the Grenadiers and Light Infantry, and ordered Lieutenant General Elliot and Major General Keppel to march forward to the little town of Guanamacoa. Colonel Carleton, afterwards Sir Guy Carleton, who was almost defeated at the Battle of Monmouth by Washington, advanced to the Cavanos Hills on the east side of the Harbor, and captured a redoubt, thus securing a point which commanded the Moro. From this redoubt it was necessary to advance two hundred and fifty yards, to make the batteries, proposed to be erected, effective. Step by step, through thick, almost impenetrable woods, harrassed by the Spanish fire and constant sallies from the fort, tortured by the fierce heat of a tropical sun, the British made slow way. When the spot of their endeavors was reached, and breastworks were to be made, the baked soil broke the points of their picks. But still they persevered, and by July 1st several batteries were erected on the heights of the Cavanos.

Nor had the enemy been idle. Several ships were sunk, blocking the entrance to the harbor, and sailors had been landed to assist in the defense of the city. In the meantime, Col. Howe, with the Light Infantry and Grenadiers, had landed at Chorera, seven miles west of the city, to engage the enemy's attention on that side.

On the 4th of July, the English batteries opened fire with forty-seven guns. Then the *Cambridge*, the *Dragon*, and the *Marlborough*, line-of-battle ships outside the harbor, with a total of two hundred and twenty guns, kept up a continuous fire ; but the Moro was equal to the occasion. It replied with such ardor that the war ships were finally drawn off, much damaged. The English batteries, however, still continued their good work, and at last succeeded in silencing all the guns of the Spanish but two. At this period in the history of artillery, guns were usually fired between eighty and ninety times in 24 hours, but during this engagement the English, by extreme quickness, fired three of their guns 145 times in sixteen hours, which was thought almost incredible. But if the Spanish ceased firing, so did the English. The guns were red hot, the sun beat down, and the fascines were as dry as chips. There had been no rain for fourteen days.

That night they awoke to find the battery on fire, and in one hour the work of six hundred men during seventeen days was swept away. But nothing deterred those obstinate English, and with song and cheer the battery was again rebuilt.

But the world and its riches are given to the persistent. In spite of fire, in spite of sun, in spite of the want of water, and salt provisions, the English batteries drew nearer and nearer. Men talked about the assault, and the sick were clamoring for the front, when a terrible object confronted the gaze, and hope almost seemed to wane. Right between them and the Moro stretched a great ditch cut in the solid rock, 56 feet wide and 63 feet deep, and only separated from the sea by a narrow ridge, so narrow that an attempt to cross it would have been madness, as dangerous to the attacking soldier as Mahomet's sword-blade, which stretches to heaven across the flames of hell. But to the brave a new difficulty is the opportunity for a new plan. The engineers were ordered to sink a deep shaft, to run mines, and by exploding them, to throw a great mass of rock into the gulf, and make some sort of passage for the daring stormers. It was now the dawn of July 22nd. The tired soldiers were resting on their arms. The sappers and miners were making their slow way with the tenacious rock, when there was a great cry, that the enemy was upon them; and 1500 Spaniards rushed to destroy the camp. As the 1st Division came up, it was confronted by the line of the advance guard. Thirty men for sixty precious minutes held the foe at bay, till some companies of the Royal Americans under Lieutenant Forbes, ran forward, hurled back the enemy, and the works were saved.

Some of the difficulties of this arduous enterprise have already been mentioned, but perhaps a longer description of the sufferings of the army may not be out of place. The least thing they suffered, was from the weapons of the Spaniards. The water which had to be carried from the transports was flat and scanty. The constant use of salt food had brought on scurvy. Some died from the toil of dragging guns, felling trees, and rending rock. Many more expired from sunstroke, and even those who survived slept, drenched with pestiferous dews, stung by mosquitoes, and

inhaling with every breath the germs of malaria and yellow fever. It is safe to say that half of the expedition were either dead or dying; 500 sailors had been landed, but even they were dropping at their posts. Disease had almost forced Albemarle to the desperate determination of abandoning the siege, for 5000 soldiers and 3000 sailors were laid up in the hospitals. On July 16th., Lord Albemarle wrote to the Duke of Cumberland, "I have heard nothing of the North Americans; if any accident happens to them I shall be undone." But as the Colonial troops helped to save the works, so were the Colonial troops to refresh the tired British and to prevent the lamentable abandonment; for on July 28th the whole camp was cheered by the arrival of reinforcements from North America.

To follow the progress of our own troops who came so opportunely to Havana, it is now necessary to transport ourselves back to North America some months previous to this last mentioned date.

From a letter of Lieut.-General Amherst written to Governor Colden of New York, on May 20, 1762, we learn that the Rhode Island and New Jersey troops were then on board ship ready to sail, and that the Connecticut troops were expected every moment, but that up to that time only 553 men out of 800 from New York had enlisted as they were afraid that Gen. Amherst was deceiving them. This deception resulted from the fact that they were not told whether they were to be sent out of the country or retained at home. As has been said before, the English ministry wished to keep the expedition secret, and so manifestly could not announce its object at that time. Notwithstanding the fact that the Rhode Island and New Jersey troops were ready on May 20th, the expedition did not leave New York until June 11th. The first detachment was composed of one battalion out of the eleven companies, of the 1st Connecticut Regiment, consisting of 500 men under the command of Lieut. Col. Israel Putnam, who was afterwards so conspicuous in the Revolution. Most probably the New Jersey and Rhode Island troops were of this first detachment, which consisted altogether of 1400 men under command of Brigadier General Burton of the Regular Army.

On June 11th the troops left New York in eleven transports, and, by a roundabout course, pursued their way safely until they arrived near Jamaica, when a violent storm arose and scattered the fleet in all directions. One transport bearing the 500 men of the Connecticut Regiment under the command of Lieut. Col. Putnam, was separated from the rest, and driven with great violence on a reef of craggy rocks, near Carthagena on a coast of what is now the United States of Columbia. Things seemed quite desperate. There was not a ship in sight, not even a sail of the enemy. In rapid succession gigantic waves dashed against the vessel's side. A few hours of such battering, and she must have broken to pieces; but Lieut.-Col. Putnam was equal to the occasion, and his cool demeanor in the face of death encouraged his men. In a moment every man who could wield a saw or hammer was set to work, making rafts from the spare planks and spars, and in a slight lull of the storm, one of the rafts, with some of the best seamen, was floated ashore. With the help of these, other rafts were towed across through the foaming space, till every man was landed in safety. After remaining here for several days, within twenty miles of the enemy, the whole party were rescued by a convoy sent out in search of them by Admiral Pocock, and finally, after a voyage of forty seven days, they reached Havana.

Of the second detachment of troops, which left New York on June 30th, but very little record can be found. It consisted of some regulars, and probably the New York troops, 800 strong, and the second Battalion of the Connecticut Regiment of 500 men. The New York troops were made up of three companies of the 1st Regiment, and three of the 3rd, commanded by Col. George Brewerton and Major John Van Veghten, of the 2nd Regiment. Who commanded this expedition is not known, but more than likely it was General Lyman. While on the voyage the troops were pursued and overtaken by a French fleet which captured several of the transports. This misfortune resulted in the loss of 350 Regulars of Anstruther's Regiment and 150 Provincials. The remnant of this division arrived at Havana on August 2nd.

Nor was the martial zeal of those sturdy Americans quenched by their shipwreck and distressing perils. No soldiers in His

Majesty's service showed greater valor. Nor was this true alone of Putnam's men, for a large body of Colonial Volunteers, who were engaged in the capture of Martinique, and were returning home invalided, having heard of the Havana enterprise, found that they had recovered, and so about ship, they steered straight for Havana, and engaged in the dangers and perils of that glorious enterprise.

With renewed heart the Army now prepared for the reduction of the Moro. On July 30th the mines were sprung, and a great mass of rock was thrown into the air, which, descending, filled the ditch; and at once the bugles sounded the assault. Lieut. Charles Forbes, with the Royal Americans, led the way, and the Colonists followed. Forbes entered the breach, and then pausing a moment, formed his men, and stormed the ramparts. For awhile the Spanish held their own with the greatest bravery; nor was it until their brave commander Don Velasco fell mortally wounded that they gave way. Five hundred and thirty were killed, wounded and taken prisoners, and the rest threw down their arms and escaped by boats to Havana. The British loss on this occasion was only thirty-two. Again the Americans had done more than their duty, and joy reigned through the English camp with the certainty that Havana must fall. But the Commander in Chief, the Earl of Albemarle, was taking no risks. He instantly gave orders for an assault on the Punta Fort, on the west side of the harbor, whither Col. Howe had been despatched with a large body of troops. Thirty American carpenters were set to work to build platforms, so that the guns of the captured Moro might open fire across the harbor on the Punta. Other Provincial troops, on the west, were sent to clear away the felled trees which prevented a near approach to the desired fortifications. On the 11th of August, the Punta found itself exposed to a rain of shot and shell, and taken between two fires, was soon silenced and captured. The Spanish Governor-General saw that resistance was useless, and resolved to surrender the city. The 13th of August saw the Cross of St. George flying over the Governor's Palace, and the British and Provincial troops had captured Havana.

History—perhaps because the English restored the captured town to the Spanish—has devoted very little space to this exploit, yet it was a glorious campaign, a struggle of more than two months against a superior force, against sickness, against appalling heat, and against forts deemed impregnable. By this compaign Havana was taken, a large army made prisoners, ten ships of the line captured, and a large treasure seized. As profits of his success Lord Albemarle received $500,000, while his brothers, Commodore Keppel and Major General Keppel, received each $125,000. Therefore, notwithstanding the terrible blow to Spain, some cynics were inclined to criticize the expedition, and say, that it was undertaken for the sole purpose of putting money into the pockets of the Keppels.

But there is a darker picture to follow. A picture which ought to warn the future of the danger of keeping unacclimated troops in a tropical country during the sickly season. For the real anguish and suffering of the campaign is now to be recounted. The sufferings of the English and Americans were well portrayed by an eye-witness, the Rev. John Graham, Chaplain of the 1st Connecticut Regiment:

"Last night, Sept. 28, was sultry and hot; I could not rest, for my ears were constantly assailed by the outcries of the sick and distressed. The camp is a vale of misery and woe. Alas! we are like shipwrecked mariners cast upon a barbarous coast, surrounded by savages who know not pity. The sun smites us by day, and the sickly moon consumes us by night. We, who are spared for a while, can only stand near the plague-stricken ones, and tell them that comfort and means are not ours to give, and in fact sound the trumpet of despair in the ears of the dying. As I pass from the presence of death, and stand without the tent, I say to myself, 'Who are these straggling along the road, with awful mien they totter forward; they seem like walking ghosts come from the shades;' but viewed more nearly, I see these are not spectres, but men wasted with sickness; all their flesh consumed with disease; their bones looking through the skin; faces yellow and pallid; eyes sunken in their sockets; heads drooping and spiritless; knees feeble and joints trembling; and

though, in the form of life, they totter along leaning on staves like men bowed with old age. As I hasten on I find some fallen in the way with weakness; others, lie in dead faints; while others, like snails, crawl to them and offer them our only cordial, water. There go four comparatively well, bearing their Captain who has fallen in front of his quarters. Here are four open graves, and here they bring the four bodies to fill them. The bodies wrapped in blankets, in life a protection, in death a shroud. Yea, before the graves are filled up, comes a message to bid them dig more graves in the pestilent soil. Horror after horror do I perceive. Decency and hope seem to have entirely left us; some gnaw their tongues with pain, and some lie on the ground and curse God."

But it is not well to harrow one's feelings, though a catalogue of similar horrors would be both possible and true. Suffice it to say that perhaps those were happiest who died and left their bones around Havana, for those who returned home, took with them broken strength, and a languor which lasted to their life's end.

Although Havana was captured, yet the troops were still retained in that unhealthy place. As a result of this campaign, out of 1000 men in the Connecticut Regiment, 423 died in Cuba, and on the return voyage, and only a mere handful of the remainder ever regained their former strength. From June 8th, to October 8, 1762, out of the whole army, 520 men were killed, or died of wonnds received in battle, while 4700 perished from from sickness and disease.

Thongh there was much suffering in silence among the troops, there were some deserters; and from the Orderly Book of Lieut. Col. Putnam, it may be seen that life in the Connecticut Regiment was not entirely smooth, as an abstract dated September 3rd will show:

"The Court Martial, to try prisoners of the 1st Connecticut, of which Captain Spaulding was President, is dissolved and the judgment of the Court approved and Henry Gray of Captain Butler's company is ordered to be whipt 150 lashes with a Cat of Nine Tails, well laid on his naked back, according to the sentence of the Court."

On October 16th, Major General Lyman ordered the remnant of the Connecticut troops, composed of 698 officers and men, to embark on seven transports for home. The squadron was delayed some days and it was not until October 21st that it set sail for New York. With these ships went also the Rhode Island troops. Owing to the sudden change from a warm to a cold climate, many died on the voyage. Upon their arrival at New York on November 23rd, an examination discovered that the men were too weak to be moved, and they were therefore placed in hospitals. A transport was provided to take the remnant of the Rhode Islanders to their colony, whence they had set out so joyously five months before.

The war, which really ended with the success of this expedition, disclosed the military strength of the British Colonies, and inured them to the toils and privations of the camp. They acquired military skill and became accustomed to military discipline under the experienced commanders of the mother country. Instead of being exhausted, they were enriched by the war. The mother country had sent them vast armies and fleets for their protection, besides paying them great sums for their personal services, while many fortunes were made by prizes captured on the seas.

It has been said of England that she never gives up what she conquers. Cuba was returned to Spain, which, like so many Latin countries, seems doomed to moral degeneracy and imperial decay. It was Spain's last chance. Spain was given the chance of competency and a moderate empire, for Cuba, like Egypt, has all the possibilities of wealth for the foreign master who will behave with the same decent regard which a man pays to his farm, where he may not overwork his stock, nor exhaust his land. Cuba was to the Spaniards, a place for obtaining riches by force and fraud.

DR. JAMES McHENRY'S SPEECH BEFORE THE MARYLAND HOUSE OF DELEGATES IN NOVEMBER, 1787.

BERNARD C. STEINER.

As described in my article entitled Maryland's adoption of the Federal Constitution (5 *American Historical Review*, Oct., 1899, p. 32), after the preparation of the United States Constitution by the Convention at Philadelphia, and its reference to the States for the ratification, the Maryland House of Delegates sent for the five delegates from the State to the Convention to appear before it. Of the five, Mercer and Martin had refused to sign the Constitution as drafted at the convention. Mercer did not come to the House of Delegates, but Martin appeared and made a long and bitter address which was printed. Of the speeches made by the three delegates who signed the Constitution, and who were Federalist in their views, no account was printed, nor has any been known to be extant. The Library of Congress, however, has recently bought the papers of John Leeds Bozman, the historian, among which are contained manuscript copies of the remarks made by Martin and also by Dr. James McHenry. Those manuscripts are in the same excellent clerkly hand and are not autographs of the speakers. Martin's was very much expanded in publication, but does not differ in any important respect. Both speeches show from their form that copies of the Constitution must have been before the members of the House of Delegates at the time they were made. Dr. McHenry's speech, which is here printed for the first time, is interesting from its strong national tone, especially when it is remembered that no member of the Convention was personally more intimate with Washington than McHenry.

Mary Land Novr. 29th, 1787

The Delegates to the late Convention being call'd before the House of Representatives to explain the Principles upon which the proposed constitution of the United States of America were formed,

Mr. McHenry addressed the House in the following terms.

Mr. Speaker.

Convention having deposited their proceedings with their worthy President and by a Resolve prohibited any copy to be taken, under the idea that nothing but the Constitution thus framed and submitted to the Public could come under their consideration, I regret that at this distant period, I am unable from Memory to give this Honorable House so full and accurate information as might possibly be expected on so important and interesting a subject. I Collated however from my Notes as soon as the Pleasure of this House was made known to me such of the proceedings as pass'd under my observation from an anxious desire I have to give this Honorable Body the information they require.

It must be within the Knowledge of this House, Mr. Speaker, that the plan of a Convention originated in Virginia. Accordingly when it met at Philadelphia the objects of the meeting were first brought forward in an address from an Honorable Member of that State. He premised that our present Constitution had not, and on further experience would be found that it could not, fulfill the objects of the Confederation.

1st. It has no sufficient provision for internal defence nor against foreign invasion. If a State offends it cannot punish; nor if the rights of Embassadors, or foreign Nations be invaded have the Judges of the respective States competent jurisdiction to redress them. In short, the Journals of Congress are nothing more than a History of expedients without any regular or fixed system and without power to give them efficacy or carry them into Execution.

2nd. It does not secure the separate States from Sedition among themselves nor from encroachments against each other.

3rd. It is incapable of producing certain blessings the objects of all good governments Justice, Domestic Tranquility, Common Defense Security to Liberty and general Welfare. Congress have no powers by imposts to discharge their internal engagements or to sustain their Credit with Foreigners; they have no powers to restrain the Emission of Bills of Credit issued to the destruction of foreign Commerce, the perversion of National Justice and violation of private Contracts. They have no power to promote inland Navigation, incourage Agriculture or Manufactures.

4th. They have no means to defend themselves against the most direct incroachments. In every Congress there is a party opposed to Federal Measures. In every State, even, there is a party opposed to efficient Government. The wisest regulations may therefore [be] thwarted and evaded; the Legislature be treated with insult and derision, and there is no power nor force to carry their Laws into execution or to punish the Offenders who oppose them.

5th. The Confederation is inferior to the State Constitutions and cannot therefore have that control over them which it necessarily requires. The State Governments were first formed and the Federal Government derived out of them; wherefore the Laws of the respective States are paramount and cannot be controlled by the Acts of Congress.

He then descanted with Energy on our respective situations from New Hampshire to Georgia, on the Situation of our joint National Affairs at Home and abroad, and drew the Conclusion that all were on the brink of ruin and desolation. That once dissolve the tie by which we are united and alone preserved, and the prediction of our Enemies would be compleat in the bloodshed in contending and opposite interests. That perhaps this was the last, the only opportunity we should ever have to avoid or remedy those impending evils. The eyes of all, actuated by hopes or fears, were fixed upon the proceedings of this Convention; and if the present meeting founded in a Spirit of Benevolence and General Good, did not correct, or reform our present situation, it would end, most assuredly, in the Shame and ruin of ourselves and the Tryumph of others. He therefore moved that it be Resolved the

Articles of the Confederation ought to be corrected and enlarged and for that purpose submitted certain resolves to the further consideration of the Convention. The Convention being thus in possession of these propositions, on the thirtieth of May Resolved to go into a consideration of them, when the Honorable Gentlemen who first brought them forward moved to withdraw the two first Resolutions, and to substitute the following in lieu of them.

1st. That the Union of the States ought to be founded on the basis of Common Defence security to Liberty and General Welfare.

2nd. That to this end the right of Suffrage ought to be in proportion to the value of the Property contributing to the expense of General Government or to the free Inhabitants that compose such Government.

3rd. That a National Government ought to be formed with Legislative and Judicial powers.

At this period, Mr. Speaker, I was suddenly call'd from Phila. by an account that one of my nearest and Dearest relations was at the Point of Death, and did not Return till the 4th. of August. Convention had formed a Committee of Detail in my absence, which on the Sixth of August brought in their Report, that had for its basis the propositions handed from Virginia and, with some amendments, is the Constitution now submitted to the People.

S. 2. To this Section it was objected that if the qualifications of the Electors were the same as in the State Government, it would involve in the Federal System all the Disorders of a Democracy: and it was therefore contended that none but Freeholders permanently interested in the Government ought to have a right of suffrage. The Venerable Franklin opposed to this the natural rights of Man—their right to an immediate voice in the general Assemblage of the whole Nation or to a right of Suffrage and Representation and he instanced from general History and particular events the indifference of those to the prosperity and Welfare of the State who were deprived of it. Residence was likewise thought essential to interest the Human heart sufficiently by those ties and affections it necessarily creates to the general prosperity.

At first the Report of the Committee had extended it to three years only, but on better consideration it was altered to seven; and the Period of Twenty five years deemed a necessary age to mature the Judgment and form the mind by habits of Reflection and experience. Little was said on this subject: it passed without any considerable opposition and therefore I was not at the pains to note any other particulars respecting it.

That the representatives should be appointed according to Numbers occasioned a very long, interesting and serious Debate, the Larger States warmly contended for this Regulation and were Seriously opposed by the lesser. By the latter it was contended it threw too much power into the hands of the former, and it was answered by the former that Representation ought to be according to property or numbers and in either case they had a right to such influence as their situations gave them; on the contrary if each State had an equal voice, it would unreasonably throw the whole power in the lesser States. In the end a compromise took place by giving an equal voice to each State in the Senate which till then the larger States had contended ought to be formed like the other branch by a Representation according to numbers.

S. 3. The classing the Senate so as to produce the proposed change was established by Convention on the principle that a Rotation of power is essential to liberty. No qualification of property was adopted, that merit alone might advance unclogged by such restriction. It did not pass however unattempted; but the proposed rate of property by the South, was thought much too high by the East, as that by the East on the contrary was deemed too low by the South. The Committee of Detail by their report had at first given to the Senate the choice of their own President, but to avoid a Cabal and undue influence, it was thought better to alter it, and the power of trying impeachments was lodged with this Body as more likely to be governed by cool and candid investigation, than by those heats that too often inflame and influence more populous Assemblys.

S. 4. It was thought expedient to vest the Congress with the powers contained in this Section, which particular exigencies might require them to exercise, and which the immediate repre-

sentatives of the People can never be supposed capable of wantonly abusing to the prejudice of their Constituents. Convention had in Contemplation the possible events of Insurrection, Invasion, and even to provide against any disposition that might occur hereafter in any particular States to thwart the measures of the General Government on the other hand, by an Assembly once a year. Security is Annually given to the People against encroachments of the Governments on their Liberty.

S. 5. Respects only the particular Privileges and Regulations of each branch of the Legislature.

S. 6. That the attendance of Members in the General Legislature at a great distance from their respective abodes might not be obstructed or in some instances prevented either by design or otherwise in withholding any Compensation for their Services, Convention thought it most adviseable to pay them out of the General Treasury, otherwise a representation might sometimes fail when the Public Exigence might require that attendance. Whether any Member of the Legislature should be capable of holding any office during the time for which he was Elected, created much division in Sentiment in Convention ; but to avoid as much as possible every motive for Corruption, it was at length settled in the form it now wears by a very large Majority.

S. 7. Much was also said on the Priviledge that the immediate Representatives of the People had in originating all Bills to create a Revenue : It was opposed by others on the principle that, in a Government of this Nature flowing from the People without any Hereditary rights existing in either Branch of the Legislature, the public Good might require and the Senate ought to possess powers coextensive in this particular with the House of Representatives. The Larger States hoped for an advantage by confining this Privilege to that Branch where their Members predominated, and it ended in a compromise by which the Lesser States obtained a power of amendment in the Senate. The Negative given to the President underwent an amendment, and was finally restored to its present form, in the hope that a Revision of the Subject and the objections offered against it might contribute in some instances to perfect those regulations that inattention or other motives had at first rendered imperfect.

S. 8. The powers given to Congress to lay taxes contains nothing more than is comprehended in the Spirit of the eighth article of the Confederation. To prevent any Combination of States, Duties, Imposts, and Excises shall be equal in all; and if such a Duty is laid on Foreign Tonnage as to give an advantage in the first instance to the Eastern States, it will operate as a bounty to our own Ship-builders. If an oppressive Act should be obtained to the prejudice of the Southern States, it will always be subject to be regulated by a Majority, and would be repealed as soon as felt. That at most it could prevail no longer than till that Jealousy should be awakened which must have slept when it passed, and which could never prevail but under a supposed Combination of the President and the two Houses of the Legislature.

S. 9. Convention were anxious to procure a perpetual decree against the Importation of Slaves; but the Southern States could not be brought to consent to it, all that could possibly be obtained was a temporary regulation which the Congress may vary hereafter.

Public Safety may require a suspension of the Ha: Corpus in cases of necessity: when those cases do not exist the virtuous Citizen will ever be protected in his opposition to power, 'till corruption shall have obliterated every sense of Honor and Virtue from a Brave and Free People. Convention have also provided against any direct or Capitation Tax but according to an equal proportion among the respective States.

This was thought a necessary precaution though it was the idea of every one that government would seldom have recourse to direct Taxation, and that the objects of Commerce would be more than Sufficient to answer the common exigencies of State, and should further supplies be necessary, the power of Congress would not be exercised, while the respective States would raise those supplies in any other manner more suitable to their own inclinations. That no Duties shall be laid on Exports or Tonnage on Vessells bound from one State to another, is the effect of that attention to general Equality that governed the deliberations of Convention. Hence unproductive States cannot draw revenue from productive States into the Public Treasury nor unproduc-

tive States be hampered in their Manufactures to the emolument of others. When the Public Money is lodged in its Treasury there can be no regulation more consistent with the Spirit of Economy and free Government than that it shall only be drawn forth under appropriations by Law, and this part of the proposed Constitution could meet with no opposition, as the People who give their Money ought to know in what manner it is expended.

That no Titles of Nobility shall be granted by the United States will preserve it is hoped, the present Union from the Evils of Aristocracy.

S. 10. It was contended by many that the States ought to be permitted to Emit Bills of Credit where their local circumstances might require it without prejudice to the obligations arising from private Contracts; but this was overruled by a vast Majority as the best Security that would be given for the Public faith at home and the extension of Commerce with Foreigners.

Article the 2nd.

S. 1st. The Election of the President according to the Report of the Committee of Detail was intended to have been by ballot of both Houses; to hold his appointment for Seven years, and not be Capable to be re-elected; but this mode gave an undue influence to the Large States, and paved the way to faction and Corruption. All are guarded against by the present method, as the most exalted Characters can only be known throughout the whole Union. His power when elected is check'd by the consent of the Senate to the appointment of Officers and without endangering Liberty by the junction of the Executive and Legislative in this instance.

Article the 3rd.

S. 1st. The judicial power of the United States underwent a full investigation, it is impossible for me to Detail the observations that were delivered on that Subject. The right of tryal by Jury was left open and undefined, from the difficulty attending any limitation to so valuable a priviledge, and from the persuasion that Congress might hereafter make provision more

suitable to each respective State.—To suppose that mode of Tryal intended to be abolished would be to suppose the Representative in Convention to act contrary to the Will of their Constituents and Contrary to their own Interest. Thus, Mr. Speaker, I have endeavoured to give this Honorable House the best information in my power on this Important Subject. Many parts of this proposed Constitution were warmly opposed, other parts it was found impossible to reconcile to the Clashing Interests of different States. I myself could not approve of it throughout, but I saw no prospect of getting a better. The whole, however, is the result of that spirit of Amity which directed the wishes of all for the general good, and where those sentiments govern, it will meet I trust with a kind and cordial reception.

LETTERS RELATING TO THE FRENCH AND INDIANS.

General Braddock to Governor Sharpe.

S[r]

As I propose soon to begin my march for Fort Du Quesne I am desirous of adjusting every future contingency in such a manner as to avoid any mistake or misunderstanding. If I take the Fort in its present condition I shall make additions to it as I shall judge necessary & shall leave the Guns Ammunition & Stores belonging to the Fort with a Garrison of Virginia & Maryland fortes. But should they as I have reason to apprehend they should abandon & destroy the Fortification with its Guns &c I will repair or construct some place of defence & leave a Garrison as before. But as to the Artillery ammunition Stores Provisions &c they must be immediately supply'd by the Governments of Virginia Maryland & Pensilvania seperatly or jointly according to the agreement made at Alexandria and that I may

not by delays in yours or the other Governments be detain'd so long as to frustrate any other designs for this year I must beg that you will have all these things in readiness to be forwarded to the Fort escorted by your Militia. A proper quantity of Flower & Meal should be preparing as these in every scituation must be required & if care is not taken to send these convoys the men must starve & his Majesty's Arms be dishonour'd (should they prove successful) & the expences & Trouble which his regard for the Colonies have engag'd him in renderd useless. Some Indians lately arrived from the French fort mention a bravado of the French & their Indians that they propose when the troops are far advanc'd to fall upon this back country & destroy the inhabitants. Make what use or give credit to this intelligence as you please. However it may not be amiss to take all possible precautions as I find impracticable to take my Chariot with me if you will send for it & the Harness for the six Horses, I shall be much oblig'd to you & you will make use of it till I want it, I shall be still more so as I am sure it will be less damag'd by good usage than by lying still. It will also save you the trouble of sending for another to England as it shall be at your service at your own price when I leave this part of the world. Let your serv^{ts} take care of the harness & have it oil'd if you don't use it. I shall leave directions to Coll: Innes to deliver Chariot Harness spare axle trees & pole to your order. I am

S^{r}
Your most Obedient &
most Humble Servant
E. Braddock.

Fort Cumberland
May 22^{d} 1755

Governor Shirley to Governor Sharpe.

Camp at Oswego Sept. 9th 1755.

Sir

As it may be acceptable to your Honour to know the situation of the Service, which is under my immediate Care, I transmit you the following account of it.

The last Division of the Forces under my Command were twenty six Days upon their march from Schenectady to this Place, where they did not arrive until the 2d. Instant; the Troops are so much reduced by Desertion and Sickness, and Absence of Detachments upon Parties and Command, that by a Field Return, which I ordered to be taken yesterday, it appears, that the number of men in the three Regiments and Independent Company fit for Duty upon the Spot, don't amount to 1400, out of which we are oblig'd to keep 100 at work upon a New Fort, and if the Body of the Forces moves from this Place, must leave 300 at least for the Defence of it, so that not 1000 men will remain for other Service, and of these 60 must be employ'd as Matrosses, and a number as Pioneers: To this I am to add that we have Suffered greatly by Desertion of Battoe men, after being impress'd and even proceeding Part of the way with us; by which means we are in want of Provisions for any Service, that will require ten days in the Execution.

However, if I am not disappointed of Supplies of Provisions which I hourly expect; I am encourag'd, upon the Intelligence, I have gained since my arrival here, that with our Naval Force, and the Assistance of the Indians, whom I have pick'd up in my Passage thro' the Country of the five Nations, and the Albany men, whom I hired to go with me as a scouting party of Guards (both which may amount to 140 men) I say, I am encouraged, Sir, to hope that we may proceed upon Action in a very few Days, and that a foundation will be laid this year for such a Campaigne the next, as I flatter myself (provided the Colonies shall then exert a proper Spirit) may secure all Points in dispute between us and the French.

As a meeting of Commissioners from all the Colonies as far westward as Virginia inclusive, with me to be appointed by Act of Assembly, in the month of October or November in order to consult upon the most Proper measures to be taken for the general Interest of the Common Cause the next Spring, may have a good Effect for his Majestys Service, I mention it to your Excellcy for your Consideration and shall do the same to the other Govts in a Circular Letter; if such a Convention shall be thought adviseable,

I would propose New York for the Place of meeting, and the 15th. of November the time for it, as I shall be there in my Return to Boston, where I must be present early in December.

As I think a very early Campaigne the next year necessary I have sent orders to Col. Dunbar, the Commanding officer of his Majestys two British Regiments & two Independent Companies of New York to march those Troops directly to Albany, where I design their Winter Quarters shall be, and to leave at this Place as many of the Troops now with me, as can be supported here during the winter, that they may be Assembled ready to act either seperately or in conjunction with such Provincial Troops as the Colonies shall think fit to raise agt. the French Settlemts. either upon the Lakes and Ohio; which last place is very accessible thro' that Route or agt. any part of Canada, as his Majestys Service, & the General Interest of the Colonies may most require.

The first thought of having a meeting with Commissioners from the Colonies was suggested to me from the inclosed Extract.

As Col. Dunbar's and the late Sir Peter Halkets Regimts. have been greatly reduced by the Defeat of the late Major General Braddock in their march to the Ohio for the Protection and Service of the several Colonies of Pensilvania, Maryland and Virginia in Particular; and his Majestys Service, & their further Protection require that those Regiments should be compleated to 1000 men each by the beginning of the Spring. I can't but hope that the three before mentioned Govts. will readily make Grants for Supplying Col. Dunbar & Lt. Col. Gage with levy money for that purpose; and that your Honour will be pleased to recommend it in the strongest Terms to the Assembly within your own Governmt. I have wrote to Govr. Morris & Govr. Dinwiddie to the same Effect.

I am with great Regard
Sir
Your Honours most Humble
and most Obedient Servant
W. Shirley.

Honble. Horatio Sharpe Esqr.

Extract of an Account of the Proceedings of the New Jersey Assembly, drawn up at the request of Governor De Lancey by Mr. Alexander, a Member of his Majestys Council for the Provinces of New York & New Jersey & communicated to Major General Shirley by the Governor.

Sundrys of the Assembly heartily wish that a Congress of Commissioners should meet with Major General Shirley at Albany or where else he would be pleased to appoint in October or November next, to agree on the further necessary Supplies & Forces for next Year, that should be provided in the winter, so that all might be at the place of rendezvous by the first of the spring that the Commissioners should be appointed by Acts of the Several Legislatures. But as they are one of the smallest Colonies they durst not take upon them to begin a Proportion for that purpose, but will most readily follow the Example of the other greater Colonies as far as their abilities can go.

Richard Peters to Governor Sharpe.

New York 18th May 1761.

Sir

I thank you heartily for your kind answer to mine of the 12th Febry. Mr. Hamilton has laid before General Amherst a large Detail of the Connecticut People's Proceedings, and desired his Excellencys Interposition, so far as to prevent any fresh disturbances with Indians. The Issue it is put upon with the General is, that the Delawares were placed by the six Nations on the Susquehanna (I think in 1744 or 1745) and Teedyusanny at the Treaty of Easton in 1757, just before the peace Belts were exchanged, did demand that the Lands at Wyomint & parts adjacent shoud be granted to him & his Delawares for their Habitation, and houses be built for them there, which was acceded to, so far as coud be done for Lands not purchased of the Indians; and in consequence of this Stipulation, to wch Mr Croghen your Deputy Agent was consenting, together with the six nations there present, Houses have been built for these Indians at Wyomint.

Now for them to be turned out of their peaceable Possession so solemnly stipulated as well in his Majesties name as in that of the six nations is such a Breach of Faith as deserves the highest resentment in them, & most certainly they will shew it, [if] the attempt to settle those Lands be carried into Execution. The Governor thinking th^{t} General Amherst might want to be informed if some perticulars that were mentioned in the Governors Letter gave me the charge of it; and I have endeavorrd to set before the General the Stipulations made with the Susquehanna Indians and the Consequences of a Breach of them, and he has wrote to the Governor of Connecticut on the head; w^{ch} with any other people would have a proper Effect, but wth these I imagine that bare writing will not be regarded. Gov^{r} Fitch will I suppose disown on the part of the Governm^{t} any Grants or Countenance to these Land Companies, & say that it is a Project of their own, & they must be dealt with according to the Laws of the Province into which they intrude themselves. This is what he has said to Governor Hamilton and It may be truth. But what is the Consequence? Some Indians espouse that cause, some even live among them, others are angry and threaten to do them mischief. The Civil Power by a Sheriff and the Pope of the County, we will suppose, endeavours to apprehend them as Trespassers & breakers of the Peace, (for so they are having no Grant from the Gov^{r} Council & Assembly of Connecticut) they resist and being numerous, people are killed on both sides, and perhaps some Indians have their friends & abettors fall in the Fray. Will not this kindle fresh disturbances? At least until the Indians are properly acquainted with this matter & their minds known no force can be used against them—and if in the meantime they multiply umbrage will be given to the Indians & so it may prove very bad this way. It is a very bad affair and I should be extremely obliged to you for a little advice. As to the Lands it is an indifferent matter whether the Prop^{rs} of Pennsylvania or of Connecticut have or have not the legal Property of them to the rest of the Kings Subjects—but that not being purchased of Indians & appropriated by the six Nations to the Delawares for an habitation at a Treaty where Peace was concluded between His

Majesty & the Indians; this, I say, makes it a national not a provincial Cause & the Controversy is not between Subject & Subject but between Indian & Englishman.

Teedyusenny told Governor Hamilton that he had not received a second letter from you, and until he does I imagine, by His Habit of Drunkenness that he is got into that he will neglect this as he does most other things.

Mr. Shuckburg will I hope relieve some of the distress that you must be in for want of Secretaries & other Assistants. I beg pardon for this trouble, but my mind is so much disturbed least the Indians fall again into hostilities that I could not rest till I had opened my Griefs to a Gentleman who has the clearest understanding & the most in his power in all matters relating to Indians. I am with a very sincere regard

Sir
Your most obedient and
most humble Servant
RICHARD PETERS.

SIR WILLIAM JOHNSON TO GOVERNOR SHARPE.

Johnson Hall, Janry 29th 1767.

Sir

I had the favor of your Letter concerning the running the Divisional Lines a few days ago, before which I received a Letter from Governor Penn on that Subject which I imediately answered Assuring him of my readiness to assist in obtaining permission from the Indians for that purpose & of doing all I could to remove any unjust Suspicions thereon which I have reason to think will be the case from their present jealousy & for other reasons I therein assigned, at the same time informing him that it would be necessary to have all the Chief Sachems and Principal Warriors of the Six Nations present for rendering it more effectual which at this Season I was certain could not be done for Less than £500 N York Curry. in presents to the Chiefs & entertainment on their way to, and at the Congress altho I offered to lessen

it by Meeting them 50 miles from hence at the Upper Settlements, for there is no Calling of them on any business without expense & I made the nicest calculation I could Least Gov^{r}. Penn should have been unacquainted with it. On this head I expect to hear from him in a few days, when if it is approved of I shall without delay send to them, and hope to effect your desire.

The obtaining their consent was highly necessary, the more so, by reason of their present disposition owing as well to the Artifices of French Agents, as to the Conduct of the frontier Inhabitants towards them on many late occasions.

Give me leave to add my remembrance of your politeness to me when in Maryland, That I shall be at all times Glad to hear from you, and That I am

with perfect Esteem
Sir
Your most obedient
& Very Humble Servants

W. Johnson.

The Honble
L^{t} Governor Sharpe.

Johnson Hall May 1st 1767.

Sir,

Immediately on receipt of the Answers to my Letters concerning the Expense of Calling the Indians together, I dispatched messingers to them, and have received an Account of their being on their way, but that they have been greatly retarded by the Extraordinary floods, however I daily Expect to hear of their arrival at the frontiers where I am to meet them. Altho I sent only for the Chiefs, yet I find that a Considerable number beside are on their Way.

This Letter is to go by the Nanticokes from Otsiningo near the head of the Susquehanna River, who go to your Government in order to bring off their people to Joyn them at their present residence. I am fully persuaded you will give them all the Assistance and protection you can, and direct how their rights there are to be disposed of, which they are desirous of Selling as the Tuscaroras

did who left N. Carolina. Acts of Justice and kindness to these people particularly when the Indians in general appear discontented with the conduct of many of the frontier Inhabitants cannot fail having a good effect. I have furnished them with a Passport for their Journey and heartily wish they may pass unmolested.

I am, with great Esteem
Sir
Your most obedient
& Very Humble Servant
W. JOHNSON.

The Honble Lt. Govr. Sharpe.

Johnson Hall March 25th 1768.

Sir

The Bearer Capt. Ogden has made me a Visit on the Subject of your letter of August last concerning the disposal of the Lands of the Nanticokes lying in your Province, since the receipt of which letter I find that these Indians have an Inclination to dispose of their Rights there, and as they are for the most part removed, and that it will be for the Advantage of the Colony, I cannot but greatly approve of it, as I do of Capt. Ogden as their Attorney to transact that business, so that you will please to lay the same before your Assembly agreable to the proposals contained in your Letter. I need not to recommend the making them a handsome Compensation for the Sale, as doubtless it will be duely attended to. But in answer to your Queries must add, That such Sale may be made by Capt. Ogden at Annapolis in the presence of such Persons as you shall direct, at which time the purchase money may be paid to him in trust for the Indians, whom I shall direct to Assemble (on his return) at Otseningo, or some Convenient place, where He shall in the presence of the Whole Tribe, & an officer of my Department distribute the money Justly amongst them, taking two Setts of proper Receipts, the one to be sent to you & the other to be lodged in my Secretarys office, After which, they can never think of laying any future Claim to the Tract.

I have now furnished Cap^{t} Ogden with a short power in my name for Negotiating this matter, and I shall take such farther Steps herein as may be necessary, so soon as the purchase is made.

I am with great Truth
Sir
Your most obedient
& Very Humble Servant
W. JOHNSON.

The Honourable
L^{t} Governour Sharpe.

THE CAPTURE OF THE INDIANOLA.

W. F. BRAND.

In the beginning of 1863 the Mississippi below Port Hudson and above Vicksburg was in the hands of the Union forces. To keep open the river between these two points, it may be readily seen, was of the greatest importance to the Confederates.

In February the *Indianola*, an ironclad gunboat built in Pittsburgh, passed Vicksburg. She steamed down the Mississippi as far as the mouth of the Red River, and then went back. Why she did no more than secure a stock of coal is not known. But her power to do harm was felt everywhere, and also on the part of the military authorities the obligation to attack her at whatever risk. The capture of the Federal gunboat, the *Queen of the West*, made such an attempt at least practicable. This boat was of the ordinary river type, but her bow had been built up solid that she might be used as a ram. Her machinery was protected on all sides by cotton bales. Her armament consisted of a Parrott gun on her unprotected bow, and five field pieces on her gun deck, masked, but not protected, by a plank bulwark. After having done some damage on the Mississippi she ascended the Red River to attack Fort de Russy, a post below Alexandria. During the

attack a shot from a water battery struck the steam pipe of the gunboat and rendered her unmanageable. She was abandoned and was taken possession of by the Confederates. The question naturally suggests itself? Why was not the *Queen of the West* burned when abandoned? The answer brings a glow to the heart as showing that even the excitement of battle does not always stifle the feeling of humanity, although to some stern soldier mercy in such a case may seem foolish weakness. The reason was that there was on board a wounded man who could not be hastily removed, and the surgeon took upon him to protest against the cremation of his patient. I wish that I knew that he remained to share his imprisonment. There was also lying at Fort de Russy the steamboat *Webb*, which before the war had been used below New Orleans as a tow boat. Taken with the city, it had been somewhat, but not effectively, strengthened, and was employed as a gunboat. On some of the waters of Louisiana it had been surprised and captured by a small force under command of Captain McCloskey, who was at this time an aid to General Dick Taylor, whose headquarters were at Alexandria. When the presence of the *Indianola* on the Mississippi was known, Captain McCloskey proposed that an expedition should be fitted out against her. General Taylor approved, if he had not in his own mind forestalled the suggestion; and, on the 19th of February ordered Major Brent of the artillery and then chief of ordnance, to take command of the two gunboats, the *Queen of the West* and the *Webb*, and as he best could fit them out in the shortest possible time and go in search of the *Indianola*, taking also such other available assistance as he might choose. The *Webb* carried a banded and rifled thirty-two pounder, its carriage partly decayed and of uncertain strength. This was the best gun on either boat. The *Queen* was in the hands of mechanics repairing damages. The force was organized at Fort de Russy, if the term organized can be applied to a body of men hastily gathered together from various quarters needing constant drilling up to the time of engaging the vessel against which they were sent. Lower down the river a few Maryland artillery men were taken on board, whose highest officer was a sergeant, Edward H. Langley of the 3d Maryland Battery: these did good service.

On the 22nd of February the expedition left Fort de Russy. Major Brent was on the *Queen of the West*, Captain McCloskey commanding, with seventy-five men. On the *Webb* were sixty men under command of Lieutenant Hardy of Louisiana. The boat was under the control of Captain Pierce, a civilian, whose experience on the river served in good stead in the encounter with the doomed *Indianola*. When at the mouth of the Red River, while stopping to take in wood, (the supply of coal being small and only that which was on the *Queen* when captured), an intelligent planter warned Major Brent against the danger before him. "I have seen," he said, "Most of the enemy's Vessels. The *Indianola* is an iron clad and the strongest boat on the river. To think of attacking her is utter folly. All that you can do is to go back." To this well meant advice all the answer that could be given was, "I am ordered to attack, and I must obey orders."

On the Mississippi the expedition overtook the *Dr. Baitey* having on board two hundred and fifty volunteers under the command of Lieutenant-Colonel Brand of the Louisiana Miles' Legion, who had left Port Hudson with the same purpose of looking for the *Indianola*. The *Baitey* was an old river packet which had been lying at Port Hudson. It was without defence of any kind; having only a few cotton bales at the bow to hide its fires. It was armed with one brass field piece which had been captured in Virginia and sent to Colonel Miles by President Davis and was therefore named the *Lady Davis*. Having learned the object of the Port Hudson expedition Major Brent enquired, "What in the world can you do against an ironclad? The answer was, "Nothing, except seize a chance to board her." "Well then, join us, for we are seeking the same enemy." General Brent has declared this venture of Lieutenant-Colonel Brand to be one of the most desperate of the war. He had obtained leave to fit out the *Dr. Baitey* and to call for volunteers for the daring undertaking. More had claimed the privilege than could be received, every man of whom offered his life as freely as did their commander. Personal friends implored Brand to abandon his proposal. Even General Gardner who permitted it, tried to dissuade from it, and in the end said laughingly, "Well, I'll have boats on

the river to pick up the fragments that may float so far." Arrived at Natchez the expedition was received with enthusiasm, and a full supply of coal was given. "You shall have," said the Major, "every pound in the city."

At various points the ironclad was heard of. She was steaming steadily up the river at a slow rate, partly because of having on each side a barge loaded with coal. To overtake her was a certainty as her rate was but half that of the *Queen*; and thus choice was given for the time of attack. But the *Baitey* was a hindrance because of her little speed. She had to be waited for at Rodney, where the *Grand Æra*, a steamboat, taken as a tender, was given her as a tow.

There was every reason for choosing night as the time for the attack. Early in the night of the 24th, which was just dark enough to suit the wishes of the assailants, the ironclad was sighted. Here it should be said that the *Indianola* had sidewheels and also two screws. She mounted forward two eleven-inch guns, and astern three nine-inch guns protected by casemates of great strength, stronger it would seem than her iron sheathing. The coal barges were on either side, forward of the wheels. When first seen she was near the right bank of the river, about three quarters of a mile from the *Queen of the West*, which was five hundred yards ahead of the *Webb*, while the *Grand Æra* with the *Baitey* was two miles below. All lights were obscured on the Confederate vessels, and their approach seems to have been at first unobserved. Signal was given to the *Webb* to prepare for action. With all the speed her steam could give, the *Queen* was driven toward the *Indianola*, whose bow was now turned somewhat down stream as if aware of the approach of an enemy; yet no gun was fired. The intention was to strike her behind the wheel, but just before the blow was given the gunboat backed and interposed the coal barge. Such was the tremendous force of the ram that the barge was cut into, the side of the vessel was struck and indented, and the engine of at least one of her wheels disabled, thus rendering her subsequent handling more difficult. The ardor of the gunners had been with difficulty restrained. When within a short distance the three forward upper pieces were discharged but without doing

damage. In fact no shot fired against the *Indianola* did the least harm to her. Even the Parrott gun in the bow of the *Queen* fired in immediate contact did no more—as was afterwards seen by Major Brent—than merely indent the casemate that was struck. When the *Queen* had cut through the barge, she was held fast by the weight of the coal on either side. In vain was the order given "Back her!" Impatience had to wait till one-half of the barge floated away, and the other half sank. Meanwhile the deck of the *Indianola* was swept by the Confederate sharpshooters. As the *Queen* got away, the *Webb* dashed up. When she was within a short distance, the two eleven-inch guns were fired at her. One shot rightly aimed would have sufficed, but both were fired wildly as if not aimed at all. The *Indianola* received only a glancing blow with no apparent damage, but with injury to one of her engines, as was afterwards learned from prisoners. The impetus carried the Confederate boat across the bow of her enemy, where for a short while she could have been almost touched by the muzzles of the huge guns had they been run out. Passing round to the starboard, she forced herself between the vessel and the coal barge which was on that side and broke loose the fastenings. By this first attack the gunboat was stripped of the two barges, one of which had proved an actual defence and had also her engines deranged. The *Webb* ran up the river to add the force of the current to that of her steam, and at the same time the *Queen of the West* came down the stream. The ironclad sluggishly turned to receive her. The blow was therefore glancing and with little effect. The Confederate vessel was carried aft of the wheelhouse, and here the three nine-inch guns were opened on her at so close a range that the flames were felt on the ram. One shot struck the cotton bales on one side of the *Queen*, and sent them flying in the air; the field pieces on the upper deck were also rendered useless, but this was of little moment, as they were ineffective against the ironclad; a shell also entered a porthole and, exploding, killed one man and wounded several. Had the shot that struck the cotton bales been aimed a little lower, the result of the battle might have been different. The *Queen* than ran up the river, and coming down for her third attack escaped the fire of the two forward guns, and with full

force squarely struck the side of the gunboat aft of the wheelhouse, doing serious damage; as she backed out, the *Webb* delivered her blow, as it happened, on the spot where the plates had been loosened by her consort. On receiving this fatal stroke, the *Indianola* turned her head down stream and attempted to reach the shore that her crew might escape. Three men actually did reach the shore but only to be captured the next day. Not knowing that her bow was broken almost to the water's edge, the commander of the *Webb* was returning to the encounter, when the cry was heard, "We surrender! We are sinking. Take us in tow!" and a line was passed aboard which soon parted. Had the *Webb* again given her intended blow, she would herself have sunk. It was strange that she endured so much. Meanwhile the *Queen*, which had been damaged at the time of her second encounter and, after her third ramming had been in actual danger of sinking, was being righted. Despite her worsted condition her commander was preparing for a fourth attack, when she met the *Baitey*, which had been waiting for her opportunity. If her guns had been used it was with waste of powder. Major Brent called out to Lieutenant-Colonel Brand that his time had come; and warned him against the danger of breathing steam which would be turned on him. Neither of them knew the actual condition of the ironclad. The *Baitey* was drawn up alongside the redoubtable gunboat and the command was given, "Prepare to board!" when the cry came from some one, "For God's sake, do not board. We have surrendered!" The commander of the *Baitey* alone sprang aboard and received the sword of the officer in command, Lieutenant Brown of the United States Navy.

As the *Indianola* was in evident danger of sinking, the surrendered men were placed on the tender the *Grand Æra* under guard of men of Major Brent's command. An attempt was made to tow the gunboat from the right bank of the river, then held by the Northern army, to the left bank which was in the possession of the Confederates; but she sank on a sand-bar not far from the bank, and was lost to her captors.

It is hard to account for the result of this battle save by saying, "The battle is not always to the strong; for time and chance

happeneth to all." It is strange that the Confederate boats could have approached their enemy without discovery until so close at hand; and could have struck her without being fired on. As has been intimated the attack must have been perceived at the last moment, for when first rammed the bow of the gunboat was partly turned down stream. It is strange that so few shots were discharged by the *Indianola*, and these with so little effect. The wild aim may have been due to the fact that when the guns were unmasked the sharp shooters on board the attacking boats kept up a hail of bullets. As prisoners the officers of the captured gunboat accused the crew of cowardice; and the crew hurled back the accusation. Major Brent was obliged to place a guard over Lieutenant Brown, when he was on board the *Grand Æra*, to protect him from his own men. The next day when he saw the force that had attacked him with such hardihood, he said with bitterness, "Is this the craft I surrendered to?" And later he said to Major Brent, "You would not have succeeded had you approached me in the day time," and he was answered simply, "So I judged." The prisoners were taken to Rodney and delivered to a commander of cavalry.

The capture of the *Indianola* was not only a cause for exultation, but became a matter of angry disputation among men who made themselves partizans of Brent or of Brand. I have seen songs that were sung in camps belauding "Brave Colonel Brand" as the one distinguished man on the occasion, the captor of the ironclad. It is needless to say that no dissension existed for a moment between the men quarreled over. Brand at the first, in his report to General Pemberton disclaimed all credit. While to his too warm friends Major Brent with good humor said, "Well, the commander of the *Indianola* surrendered his sword to him." This sword Brand always kept; against military rules perhaps; but in the Southern army they were not very particular about trophies.

General Joseph L. Brent to whom is due the credit of this brilliant deed is a descendant of a family connected with the early history of Maryland. He was born in Charles County. The daring nature which led to his distinction, characterized him when

a boy. When the war began he was in Lower California, a man of influence though holding no public office. Returning to the East by the way of Panama on a vessel on which was also a body of United States soldiers, he was by the General in command arrested as a suspect, not for what he had done, or was known to intend doing, but because of what he might do. Refusing to take the oath of allegiance as then tendered, he was imprisoned in Fort Lafayette. After some time, there being no ground for his detention, he was released. He immediately found a way to Virginia. In the army he served first on the staff of General Magruder. Then, although he had received no military training he was thought worthy of a commission as Major of Artillery. Holding this position he crossed the Mississippi with General Taylor and thus had the opportunity for the gallant deed which has been related. In April, 1864, he received—but not as a reward for the capture of the *Indianola*—the rank of Colonel of Artillery, a commission which he prized above that of Brigadier-General which, later in the same year, he unwillingly endured. Of the esteem in which he is now held in his native State it may not be meet to speak.

May I be permitted to say of his less distinguished fellow soldier and friend that Frederic B. Brand was born in New Orleans, and was thirty-eight years old on the day when he received the sword of Lieutenant Brown. He was one of the earliest graduates of the Naval Academy at Annapolis. His warrant was obtained for him by Ex-President Jackson the only favor asked of the Government since leaving Washington. On sending the warrant to the lad the General wrote, "My son, remember that you have not only to gain a reputation but to maintain mine also, for I have answered for you." Certainly a stimulas to serve a life time. As midshipman Mr. Brand was with Commodore Ap Catesby Jones when he permaturely took possession of California; and he came home as sailing master. He served during the war with Mexico; and was for a while commandant of some Mexican town. Soon after the war he resigned from the Navy, and entered on mercantile business. When Louisiana seceded he was made Captain of Artillery and

as such was in Fort Jackson at the mouth of the Mississippi, when "Beauregard opened on Fort Sumpter this morning at four o'clock." I can never forget these words of the Major in command announcing the fact to a group of officers and the exultation of the untried young men, while my heart was bursting with grief. After the occupation of New Orleans, Captain Brand was engaged sometimes on land, sometimes in command of a steamboat. He assisted Colonel Miles in the forming Miles' Legion, and was chosen Lieutenant Colonel. A legion—probably copied from the French—is composed of artillery and calvary as well as infantry. He was wounded at Port Hudson and made prisoner when that fort surrendered; but was soon after exchanged. On promotion of Colonel Miles, he was, I believe, made Colonel. After the fall of Richmond as bearer of dispatches from the Trans-Mississippi department he followed President Davis in his retreat and flight from place to place. From the President he received a commission to raise a regiment where possible. This was the last commsssion given by the chief of the moribund Confederacy, one which Colonel Brand took good care not to boast of as he found his way back to Louisiana as secretly as possible. This act of Mr. Davis shows how persistently he held to the notion that the war could be continued. Strange to say his opinion was shared by not a few of the force beyond the Mississippi.

Beside the formal reports of the officers engaged, the capture of the *Indianola* was of course much discussed in the Southern States. A volume has come into my hands entitled *Military Annals of Louisiana*, by Napier Bartlett, which contains a relation of the encounter. What has been read to you might be said to have been drawn from this volume. And yet my information was received from a different source. With the exception of some names and dates, even the details that you have heard were in my mind arranged for the writing before that I had read any printed line that gives the same statements.

GRIEVANCES OF THE MARYLAND LINE.

To General Greene

from the Officers of the Maryland Line

Sir

It is painful to us, So Soon after your wished for arrival, to be Under the Necessity of addressing you On a disagreable Subject, a Subject Exceedingly Embarrasing to Ourselves as Officers and of Some Importance to the Army.

At a time when the Maryland line was much reduced by an adverse Stroke of Fortune, of Itself Sufficiently humiliating, The Legislative power of that State Created a new Corps and Commissioned New Officers, without Regard to the service and Sufferings of those in the Field, and before any measures are taken to re-establish the Old Regiments. We find this new Corps in Camp, Our relative Rank likely to be Diminished by the names of the Officers being Introduced into the Roster, and Our Commands Comparatively Diminished by being Oblig'd to serve Under them. We do not presume to contest the power of the State to appoint, nor your Authority, Sir, to Employ those Officers, That the Legislature have a right to raise and Establish what Corps, and Commission whom they please, is Indubitable. But to An Officer of your Observation and Experience the practice of this privilege in the Extent of the present Case will appear Injurious and Unjust. We Are not Ignorant of the arguments to be Used in comparing the State Regiment to the militia who are Occasionally called into the Field; But we have no assurance that the former is for a Temporary Service. On the Contrary we know the Soldiers are Inlisted During the war, and are call^{d} Continental Troops; and we Own Our Jealousy that Maryland by adopting the Example of a Neighbouring State, in a Case exactly Similar, may Incorporate the Officers into the line, which will put us Under an Indispensible Necessity of Leaving a Service to which we are attached by principle and habit. We

inclose for your perusal, a Remonstrance addressed to the Governer Council and House of Delegates of the State of Maryland to which no Answer has been received. Their Silence On the Subject Seems to Justify Our Apprehension and Obliges us to Give you Sir, this trouble Upon the Occasion. We intreat your Interposition with the Legislative Authority of Our State to have the Grievance of which we Complain removed. The circumstance, the necessity, alluded to in Our remonstrance becomes pressing, and we Humbly Solicit that, until the pleasure of the assembly is known, you will Excuse us from being commanded by Officers of Inexperience, as we will most Chearfully Submit to have Our duty doubled that what may be Expected of the Officers may be performed without prejudice to those of Other Corps.

We are conscious of the consequence any steps we may now take, may be to ourselves, to the Maryland line, and at this critical Juncture to the army in General, therefore are Disposed to acquiesce in whatever you will please to order for the present, But we trust Such Instructions will be Given as will relieve us as far as the Good of the Service and peculiarity of circumstances will admit.

We are &c

December 18th 1780

General Greene's Reply.

Camp Charlotte Dcem 18th 1780

Gentlemen

Nothing would Give me greater pleasure then to have it in my power to Oblige a Corps of Officers whose Services have been So Important to their Country, and So honorable to themselves.

The Subject you write Upon is delicate no less for you than me. As an Officer I feel for you, As your Commander, it is my duty to Represent your Grievance, and to endeavor to procure Redress.

It has ever been my study to render the Service as agreable to the feelings of Officers as possible Consistent with my Own standing, and the reputation of the Army, More then this delicacy would not permit you to ask, Or me to Grant.

I persuade myselfe your fears are Groundless respecting the Intention of the State to Incorporate the new Regiment into the Continental line. The resolution of Congress for the new Establishment of the Army, Says the Officers of the Old Regiments Shall compose the Officers of the new, therefore the State will not have it in their power, to Impose those Officers Upon you, even if they Were Guided by principles So Unjust aud impolitic.

I am Gentlemen
your most Obedient
humble Servant
NATH GREENE

To the Majors Captains & Subalterns Officers
of the Maryland Line.

MEMORIAL OF MARYLAND LINE.

To the Hon. the Speaker and the Delegates of the House of Assembly for the State of Maryland.

A Memorial of the subscribers on behalf of themselves the Officers and Soldiers from the State of Maryland serving in the Continental Army Humbly Sheweth, that in Consideration of the services and hardships Your memorialists have done and underwent since the Commencement of the present just and necessary war, Your Hon. House, with the Concurrence of the Hou. the Senate, made an Act at their last Sitting to make good the depreciation of the Officers and soldiers from this State Since 1777.

That Your memorialists with the other Officers belonging to the State were highly pleased with the Assembly for such Acts of Attention and Iustice particularly at a time when the heavy expence attending a loug War had reduced the Treasury, and the inhabitants uuaccustomed to taxes, especially such as in our Situation is absolutely necessary to Compleat and finish the Arduous undertaking of Securing the Lives and liberties and Establishing the freedom of this Continent. At the very time Your memorialists Hearts were overflowing with gratitude for such a mask of the justice rectitude and attention of the Legislature of the State,

they discover'd that the good intention of the Assembly, by interested individuals and the necessitous Circumstances of the soldiers, were ineffectual and the Substance reduced to a shadow. We Conceive it was the intention of the Assembly and the Law to make the Certificates given equal to gold and silver, otherwise it was not doing the Army that justice the Law promised, and if we Only Consider the depreciation of Specie since the pay of the army was fix'd, it is so considerable that few who Compose it can even afford to give up that; but when we find these very Certificates given in Lieu of gold and silver (after lying three years out of the money) sold and exchanged for State money dollar for dollar, and considerable sums even at half that price, what must be our feelings after the hardships and Sufferings we have embraced in the service of Our Country, to make this sum more aggravating these certificates have been ingrossed by Speculators who have been amassing fortunes on the ruins of their Country, which now enables them to take advantage of the soldierys necessitous Circumstances and buy their rights from one fifth to One tenth of their worth, nor can it be urged that those officers who keep their Certificates will receive the Value. Such as has either sold or have lived on the incomes of their Estates, and in Consequence are enabled to keep their Certificates, they can Only get from a fifth to a tenth of the sum. The property set apart for the redemption of these Certificates being to be set up to the highest bidder, the speculator who has obtained these Certificates upon such Easy terms can give upon an average seven times its real worth. We cannot pretend to Account for such depreciation, on what appears really to be, or Ought to be, gold and silver; but are of Opinion the first and most material Stab was the Treasurer's refusing to receive them for One fifth part payment for confiscated property sold by the Commissioners in Baltimore Town. To remedy such depreciation and render the Act of Assembly aforesaid Adequate to its original intention, we would Humbly recommend the receiving these Certificates in all payments of purchases made of the state, where there are assignments in every such instance let the possessor make it appear what He really gave, and that no more be allow'd than the sum so given

for such certificate in any payment to be made the state, and in Lieu of certificates in future to the soldier allow them a small sum of money in hand which will please them better and render a more esscntial service, at the same time reserving for them such a quantity of the Confiscated Lands as will indemnify them for the Balance of depreciation at the end of the War; which laid off in small lotts at a moderate valuation might induce a majority of those who turn their Eyes to Husbandry, at their discharge to settle and cultivate these Lands and become usefull subjects to this State in time of peace as well as War, and will at the same time be a better Security to prevent desertion than any mode heretofore Adopted—without some such mode Your memorialists are of Opinion that at the expiration of the war and Your soldiers discharged most of these who wish to follow Husbandry (and these are the most useful citizens) will emagrate and fly to the Western Waters for Lands and settlements which means this state will not only lose so many subjects, but in any future War they will lose so many Old experienced soldiers.

Report of Committee.

Report of a Committee of the
Maryland Assembly
1781

The Committee, To whom was referred the Letter from General Gist respecting the Officers and Soldiers of the Maryland Line beg leave to Report.

That from a variety of Causes, the United States, have not complied with their Engagements, heretofore made with their Officers & Soldiers, which has occasioned great and unavoidable difficultics and distresses in the scrvice as well as much injustice, to the said Troops, to whose virtious and disinterested exertions America is much indebted.

Your Committee have therefore come to the following Resolutions, to wit,

1st That it is the Opinion of the Committee that the pay of the said Officers and private Men should be made good in Specie, or the Value thereof, from the 1st of January 1777, to the 1st of August 1780.

2d That it is the Opinion of the Committee that the several Sums of Continental Money, Received by the said Officers and Soldiers, on Account of their pay, within the Dates aforesaid, Should, in the Settlement of their Accounts be estimated in specie according to the value thereof at the times of it's beeoming due, and that all Cloathing furnished by this State to its Officers and not Properly Chargeable to the United States ought to be deducted out of their pay @ the value in specie.

3d That it is the Opinion of the Committee that three or more Commissioners should be appointed to settle the accounts of all the Officers & Privates of the Troops of this State in the Contl Service agreeable to such scale of depreciation as may be agreed upon by the House and that the Commrs proceed to the Army there to settle such of those Accounts as they cannot settle without.

4th That such Commissioners be authorised & directed to give the Officers and private Men, to whom pay as aforesaid may be found due after deducting for Cloathing furnished as afd., one Certificate or more bearing Interest from the Date thereof and Specifying the Sums due in Specie so that no Certificate shall be for less than $^1/_6$ part of the Sum due to the person to whom the same shall be given and that the whole of the Certs giuen to the same person shall Amount to the Sum only due to him; which Certificates shall be paid out of the money arising from the Sale of the Confiscated Property, or in such other Manner as the Circumstances of the State will permit.

5th That the Widows and Children of Officers and private men of the said line, who have fallen or died in the service during the said period, should be entitled to the Allowances and benefits above mention'd.

6th That it is the Opinion of the Committee that the part of the 37th Article of the form of Government which declares that no person employed in the Regular land service or Marine of this State or the United States should have a seat in the General

Assembly or the Council of this State be repealed in the mode prescribed by the Constitution & form of Government and that provision be made that in time of War any Regular Officer elected a member of the Assembly or Council shall not qualify or Act as such before they Resign their Commissions.

7th That it is the Opinion of the Committee that as doubts have been entertain'd whether Officers in the Regular service are eligible during the time of holding their Military Commissions to Civil Offices in this State, that it be declaired by Law that any Regular Military Officer of this State or belonging to its quota of Troops, having the Qualifications required by the Constitution, Be eligible to any civil office of trust or profit.

All which is submitted to the houourable House.

By Order

JOHN KNAPP C. Com

The Seventh Resolution therein beiug read, the Question, put that the following words be added thereto but shall not quallify or act in any civil office before he resigns his military Commission, yeas aud nays on the Clause are as follows

Affirmative		Negative	
Mills	Job	Norris	Plowden
W. Stevenson	Crawford	Giles	Wilmer
McCubbin	Duckett	Alexander	Fitzchew
Frceland	Magruder	Cramphin	E. Johnson
Causin	Chase	Bayley	Dye
Hanson	Quynn	Hungerford	Hindman
I. Stevenson	Morris		Sulivane
Shaw	Dasshiell		Whitely } ONeal
Lawson	Taylor		Claget }
	McComus		T. Johnson
			McMechin

LETTER OF GENL. GIST TO COL. MUNFORD.

Baltimore 24 October 1780

Dear sir

We have just receiv'd intelligence that Col? Clarke with a number of militia under his Command, has defeated Col? Ferguson the famous British Partizan near Rocky River; as also a Victory gained by Col? Lewis in S. Carolina but neither of these accounts came sufficiently authenticated. I wish you would sometimes think of your friends, and relieve them from the disagreeable state of suspense. Your Signature my Dear Sir, on other occasions woud be agreeable but most truely so when dress'd in the lively form of Victory.

We are assured from Philadelphia that an embarkation of 3,500 men, a Troop of Horse &c, have Sailed from N. York, supposed to be bound for Virginia or North Carolina. No News of the second Division of the French Fleet. The present period is critical, and may involve the Southern States in the most imminent danger, their situation requires the most spirited exertions to counteract the designs of a barbarous, cruel Army. What infatuation has possessed the legislature of the Antient Dominion, to Vote at this period to raise Troops for Eighteen months? this measure can be equalled only by the duplicity which has crept into the Councils of the Eastern States, the frequent Bounties paid to their Recruits, is not only imposing an unnecessary Tax in the people, but in its consequences ruinous to the Continental Army: for just as such soldiers begin to learn the common duties of a military life, their times expire, and they return disgusted to their former State as Citizens, by which means an Army becomes enervated, disagreeable sensations arises in the Breasts of our Officers, they feel a conscious inferiority for want of proper Commands and lose that emulation necessary in a military life. This gives place to a relaxation of Discipline, which must ever be followed by misfortune and Disgrace in Action.

It is a lamentable reflexion that we profit not by experience. How long shall Error stare us in the face before we adopt the

dictates of common Sense and reason? can it be supposed that by raising Recruits and giving them the name of regular Troops, they shall at once become metamorphosed into Veterans, and inspired with a confidence to oppose an equal number of experienced Troops at the point of the Bayonet?

The expectation wou'd be as absurd and fruitless, as inconsistant with the feelings and principles of Human Nature.

I trust the glow of honest Zeal which now actuates and directs my peu will uot be imputed by my frieud to sinister views, or clamorous intentions. The lethargy & supineness of the Legislative aud Executive Powers are universally complained of by Judicious & thinking miuds, aud the unfortunate military feel it in a double capacity to the Citizen; Fortune is the smallest sacrifice made by them in the Glorious Contest: I believe I may without ostentation venture to say, that in general our Officers were reputable Characters before we assumed a military profession. Fame, Honor and Glory, then became the object in persuit; these depend on the success of our Arms; for with a soldier success alone is merit, aud if the meaus to obtain this desirable eud is withheld from us, the best prospect that presents itself is inglorious obscurity, with the mortifying recollection, that the priuce of our life has been devoted to a people that wanted spirit or Virtue to support the Dignity of our Indèpendence.

The Iudepeudence of the United States is as fixed as fate; yet if we neglect to support it with Dignity or to aim at national Glory, if we cease to sacrifice private Interests to public Good, the Blessings will corrupt at our touch and like an affectionate love [?], worn out by Injuries, grow iuto a hated Monster.

An Honorable Peace must now be the wish of every good man in the Union; the only means left to acquire it on our part, is to be prepared for war: cau it be thought the Policy of Great Britain will offer or admit of Terms Honorable to the United States, when our Army is reduced aud the Siuews of war are relaxed? the mau who woud suppose it, or dread either the expence, or consequence of a Regular Army enlisted for the war, is at best au involuntary Traitor to his Couutry, aud iustead of being intrusted with the liberties of the Subject, shoud be hang'd for his Iguorance.

The Opening of your Land Office with a view to engross back Territory has made Kentucky an Asylum for Deserters and weakened the internal Strength of your State. This with the manifest neglect to fill up your quota of Troops in the Continental Army, and to protect the trade in Chesapeake, was impolitic in itself, if not criminally injurious to the Union. The late Executive of Maryland fell into the latter error, and to our reciprocal shame, Boats and Barges have infested our Bays and Rivers, interrupted the Trade and Commerce of our Ports, and Destroy'd the property and fortunes of many worthy Inhabitants.

The parsimonious wretch will tell you this evil is forced on us for want of Resources, when the real Poverty exists only in his contracted soul. Our Resources are less impaired than those of any Nation in the world who have ever supported a war against as formidable an Army as that in America, under half the disadvantages; and when they cease to flow, it will be because the Springs of Action are permitted to Rust for want of Order and Motion. Maryland deserves the highest Credit for her efforts to keep her quota of Troops in the field, but has been particularly unfortunate in the loss of them. What Action, plain, or field, that the blood of her sons has not been Spilt in? yet under all her misfortunes rising superior to her Antient sister. Pardon me my Dear sir if my Candor calls the blush to your Cheek; your Integrity is above the reach of censure, & I have that confidence in your abilities, which inclines me to hope, when joined with the influence of other good members of your Assembly, that the present Sessions will terminate to the Honor of Virginia.

The Assembly of Maryland is now Sitting and most undoubtedly will adopt some plan to fill up their quota of Troops once more: it is generally believed that Classing the Inhabitants will be the most eligible mode. For instance shoud we want 3000 men, the Inhabitants may be laid off in 3,000 Classes of 10 men each; who are to furnish one Soldier for the Army, and continue him or his Substitute during the war as their representative, otherwise the Class to be subject to a Draught. This will prevent the imposition of Substituting bad men, and engage all to be Interested, & to share the dangers of the field, either personally or by Proxy. Some Law to give Stability to our new Currency will also be con-

sidered, and without doubt they will concur with the recommendation of Congress in making good the Depreciation to her Officers & Soldiers : who having hazarded their Lives, and exhausted their fortunes in defence of their Country look up in confidence to the Legislative Power for an Act of Common Justice.

Make my Compliments acceptable to the Ladies of your family, & believe me with perfect esteem and Regard.

Y^r^ most Obd^t^ Servant

M : Gist.

Col. Robert Munford
Richmond, Virginia.

THE BALTIMORE INDEPENDENT CADETS.

We, the Baltemore Independent Cadets

Impress'd with a sense of the unhappy [state] of our Suffering Bretheren in Boston, the Alarming conduct of General Gage, and the oppressive Unconstitutional acts of Parliament to deprive us of Liberty, and enforce Slavery in his Majesties Loyal Liege Subjects of America in General,

For the better Security of our lives, liberties, and Properties under such Alarming Circumstances, we think it highly advisable and necessary, that we form ourselves into a Body, or Company in order to [learn] the military discipline ; to act in defense of our Country agreeable to the Resolves of the Continental Congress.

And first, as dutifull Subjects to King George the third, our Royal Sovereign, we Acknowledge all due Allegiance, under whose Banner we wish to support the Dignity of his Crown ; and the freedom and Liberty of this Constitution.

Secondly, we Resolve, after a company of Sixty Men have voluntarily subscrib'd their names to this Paper, that Public notice thereof shall be given and a Meeting call'd to Elect Officers of said Company ; under whose Command we desire to be led and will strictly adhere to, by all the Sacred ties of Honour and the

love and Iustice due to ourselves and Country; and in case of any Emergency we will be ready to march to the assistance of our Sister Colonies, at the discretion and direction of our Commanding Officer so Elected and that in the space of Forty Eight Hours Notice from said Officer.

Thirdly and finally Resolve to Procure at our own Expence a Uniform Suit of Cloaths (viz^{t}) [a Coat] turn'd up with Buff, and trim'd with Yellow Metal, or Gold Buttons, White Stockings and black Cloth half Boots; likewise a good Gun, with Cartouch Pouch, a pair of Pistolls Belt and Cutlass with four pounds of powder and 16 lb. of Lead which [we] shall be ready to Equip ourselves with, on the shortest notice.

And if default shall be found in either of us, contrary to the true Intent and Meaning of this Engagement; we desire and Submit ourselves to trial by Court Martial whom we hereby fully Authorize and Impower to determine Punishments Adequate to the Crimes that may be Committed, but not to extend to Corporal Punishment.

Given under our hands, this third Day of December in the year of our Lord One Thousand seven hundred & seventy four.

A. M^{c}Lure	Thos Russell
James Clarke	David Hopkins
Barnet Eichelberger	John Lahavan [?]
Rich. Cary Jun.	A. M^{c}Kim
Christ^{r} Hughes	Rob^{t} M^{c}Kim
W. Beard	Alex Donaldson
Henry Shaaff	Walter Roe
Matt^{w} Scott	W^{m} Sterett
John Spear	Mordecai Gist
Hugh Young	John M^{c}Lure
W^{m} Hammond	Sam Smith
William Stone	John Smith jun
Abr^{m} Risteau	J Kennedy
Moses Darley	Geo. M^{c}Call
Rob^{t} Buchanan	Jon. Hudson
Geo. Lux	Thomas Lansdale
N. Ruxton Moore	J. Govane

Philip Graybell
David Plunkett
Jn°. Riddley
Brian Philpot
Charles M°Connell
Christ^r. Johnston
Tho^s. Ewing
Rob^t. Worttens [?]
Christop. Lem
Caleb Shields
David Evans
Simon Bashor [?]
William W. Creery
David M°Mechen
Geo: Peter Keeports
John Weatherburn
Matthew Patton
Hez. Waters
William Yeates [?]
John Deitch
Tho^s. Jonas
James Somervell
Joseph Magoffin
Geo Mathews

SIR HENRY CLINTON'S SOLILOQUY.

[This humorous patriotic effusion is found, without note of any sort, in the Gist Papers.]

Sir Henry Clinton's Soliloquy recovering from the Phrenzy into which he was thrown by storming Stony Point.

To fight or not to fight: that is the question.
Whether 'tis best, within Manhattan's Isle
Snug to encamp, secure from war's alarms,
Or, mounting Hudson's oft-attempted wave,
Encircled with my British-German bands,
At once let loose the terrors of my arm
And crush rebellion at its farthest source.
To fight—perchance be beat—Ah, there's the rub—
('Tis Conscience makes a Coward of Sir Harry)
Well I remember the opprobrious time
When Tryon and Sir George by my command
On poor Connecticut's defenceless towns
Poured out the flaming vials of my wrath,
Murder'd the old and plunder'd the infirm,
Torrent-like, when brave Wayne's determined Corps
Resistless rushed on all my boasted works,

And in an instant quench'd the British fire !
What dread Ideas fill my tortured Brain !
West Point still rises to my troubled view,
Unnerves my heart, and damps my ardent passion.
There proud America's undaunted Host
With Victory flushed and pulses beating high
Unfurl their glittering Ensigns to the air,
And claim, impatient claim, the promised fight,
Smile at my losses and defy my power.
What's to be done? At Charles Town baffled twice,
At Monmouth routed with a dire disgrace,
Britannia blushing, and my sanguine hopes,
So flattering late, all vanishing to nought !
It must be so—soon as to-morrow's sun
Through ether darts his horizontal rays
Straight I'll embark :
Unfold the spreading canvas to the winds,
And bend my course to England's peaceful shore,
Join Gage, Burgoyne and Howe, ill-fated Chieftains,
Who trod before me this disastrous road,
Beneath their wither'd Laurels lay me down,
And sleep the hours away, nor dream again
Of conquering Freedom's all-subduing Sons.

TWO LETTERS OF WASHINGTON.

Washington to Jenifer and Carroll.

New Windsor 7th June 1781

Gentlemen—

I was this day honored with your favor of the 3rd instant. I very sensibly feel not only for the danger to which the States immediately invaded are exposed, but for the general bad consequences which may ensue if the enemy are permitted at this time to gain and hold possession of a part of our Country, and I have been endeavouring to concert such plans with our Allies, as I hope will eventually frustrate the projects which the enemy seem

to have in view. Nothing but an adherence to regular plans and systems can ultimately be attended with salutary effects, and I flatter myself the issues of those now in contemplation will justify the observation.

I have desired the Executives of the States of Pennsylvania, Delaware, and Maryland to send the Corps of Infantry, Artillery, and Cavalry requested by the Resolution of the 3d of May, to the Head Quarters of the Army in Virginia or in Maryland (should the Enemy have advanced into that State) as fast as they are raised and equipped. I cannot promise any further assistance as to Arms and Accoutrements, having already forwarded to the southward all that could possibly be spared of those on hand.

The danger to which letters are exposed upon the communication between this and Philadelphia, renders it unadvisable to enter into details upon paper, but I beg you to be assured that the slender means with which I am yet furnished shall be directed, to the best of my Abilities, to the general good. To those who are experiencing the calamities of War, all relief only in prospect seems very far off; but I trust the enemy will in the end repent the hasty advance which they are now making.

I have the honor to be, with very great Respect and esteem, Gentlemen,

Yr most obt Servant

Geo Washington.

Danl of St. Thos Jenifer, and
Danl Carroll, Esquires.

To the Right Worshipful Grand Lodge of Free Masons for the State of Maryland.

Gentlemen and Brothers,

Your obliging and affectionate letter, together with a Copy of the constitutions of Masonry, has been put into my hands by your Grand Master; for which I pray you to accept my best thanks.

So far as I am acquainted with the principles and doctrines of Free Masonry, I conceive it to be founded in benevolence, and to

be exercised only for the good of Mankind ; I cannot therefore upon this ground, withhold my approbation of it.

While I offer my grateful acknowledgements for your congratulations on my late appointment, and for the favorable sentiments you are pleased to express of my conduct, permit me to observe, that, at this important and critical moment, when high and repeated indignities have been offered to the Government of our Country, and when the property of our Citizens is plundered without a prospect of redress, I conceive it to be the indispensable duty of every American, let his situation and circumstances in life be what they may, to come forward in support of the Government of his choice, and to give all the aid in his power towards maintaining that Independence which we have so dearly purchased ; and, under this impression, I did not hesitate to lay aside all personal considerations and accept my appointment.

I pray you to be assured that I receive with gratitude your kind wishes for my health and happiness, and reciprocate them with sincerity.

I am Gentlemen & Brothers
Very respectfully
Your most Obed^{t} Serv^{t}

November 8th 1798. Ge^{o} Washington.

THE ORIGINAL "TOLERATION ACT."

The most important document in this history of colonial Maryland, next to the Charter, is the "Act concerning Religion," often called the "Toleration Act." It was the first of twelve Acts passed by the Assembly of 1649, and assented to by Governor Stone, thus lacking only the assent of the Proprietary to be the law of the Province. When they reached his hands, we do not know—his Declaration, dated August 26, 1649, refers only to Acts passed in the preceding year ; so they could not then have reached him. Possibly the disturbed state of affairs in England

caused him to delay. In the session of 1650 eight other Acts were passed, and duly sent for approval.

On August 6, 1650, the Proprietary gave his assent to ten of the Acts of 1649 (two having expired) and to the eight Acts of 1650, and sent them out in a body for publication by the Governor. The first is the Act concerning Religion.

This Act was printed in Vol. I, of the *Archives of Maryland*, from the contemporary Liber A, which was both Journal and Statute Book, and from this record all copies have been taken. When that volume was published, the Society had not acquired the Calvert Papers.

Among the Calvert Papers is a roll of parchment sheets indorsed "Acts assented vnto by his Lo^{pp} 6th Aug^{t} 1650," and containing the eighteen Acts. They are beautifully engrossed, and preceded by the Proprietary's Declaration, declaring his assent to the eighteen Acts, which he has "caused to be Engrossed together on Parchment; and to be herevnto annexed vnder our Greater Seale at Armes, and Signed also by vs." The first of these Acts is the Act concerning Religion. Both it and the Declaration are ornamented with elaborate calligraphic initials. Each sheet is headed with the Proprietary's autograph signature, "C. Baltemore." The seals, which were appended to each sheet, have been lost—probably crumbled away—but the perforations in the parchment show where they were attached by cords.

The text is identical with that published, with one slight exception. The phrase "the General Assembly," has been changed by interlineation of the words "the Upper and Lower Houses of." The Assembly resolved to sit in two Houses in 1650; so that it is plain that the Proprietary was not informed of this fact when the Act was engrossed.

This, then, is the original Toleration Act itself, which, by virtue of the Proprietary's sign-manual and seal, became the law of the Province.

The question naturally arises: How came these Acts to be in England, and among the Calvert Papers? This is explained by an indorsement in a contemporary hand, perhaps that of the

Proprietary himself—"Brought from Maryland in the troublesome time."

Evidently, when the Parliamentary Commissioners were seizing the records, some one secured these Acts, sent or carried them to England, and placed them in the Proprietary's hands. After he was re-instated in his government, he sent out, in 1659, a Declaration referring to them, and to others subsequently passed, and declaring his assent. It is not impossible, as his charter was incessantly attacked on the ground that Protestants in Maryland were most grievously persecuted, and the toleration of all Christians was a mere pretence, that he may have thought it wise to have the very Act itself to produce before the Privy Council.

RETURN OF 33D BATTALION MARYLAND MILITIA.

Baskg. Ridge East New Jersey 3d. March 1777.

A Return of Officers & privates of part of the 33d. Battalion of Maryland Militia, not yet discharged under the command of Colonel Charles Beatty.

Charles Beatty, Colonel
Wm. Beatty, Lieut. Colonel
Wm. Radford, Adjut.
Wm. Ritchie, Q. Master

1st. Capt. Swearingen's Co.

Van Swearingen Capt.
Fredk. Stemple, Philip Nollert } Lieuts.
John Kern, Ensign
Peter Stork, Jacob Lorens } Sergts.
Peter Shoemaker, Fredk. Miller } D & fife

1 Henry Gallman, Corpl.
2 Conrad Winholt
3 Adam Gernant
4 Wm. Critzer
5 Henry Young
6 Thos. Mock
7 John Long
8 John Flink
9 Jacob Coons
10 Mertz Coons
11 Jacob Wertibaker
12 Christr. Long
13 Frances Young
14 Robt. Dill

15 Thos. Pitcher
16 Henry Fluck
17 Henry Rigely
18 Geo. Yost
19 Ludh. Leafer
20 Geo. Pawlas
1 Waggoner with waggon &c.

2nd Capt. Hillearys Copy

Ralph Hilleary, Capt.
Thos. Kirk, Lieut.
Charles Busey, Ensign
Elisha Griffith, Levy Davis, John Hinton } Sergts.
1 Archd. Nichols, 2 Wm. Chapman } Corpls.
3 Richd. Hinton
4 Edwd. Busey
5 Zadack Griffith
6 Richd. Eyams
7 Chisholm Griffith
8 Wm. Hilleary
9 Mass Fleehart
10 James Plummer
11 Abm. Manet
12 John Cash
13 Geo. Kimball
14 James Moore
15 John McDonald, wounded
16 Geo. Plummer, 17 Nichs. Roads, 18 Jno. Smith, 19 Uriah Laton, 20 Richd. Andrews, 21 John Roads } Lying in Quarters Ill of the small Pox.
1 Waggoner with his Team.

3d Capt. Yost's Compy

John Hd. Yost, Capt.
Adam Mantch, Lieut.
Peter Prefanger, Sergt.
1 Ludh. Smith, 2 Andw. Peck, 3 Geo. Larney } Corpls.
4 Jacob Caver
5 Philip Trine
6 Frank Vampigler
7 Michl. Miller
8 John Stone
9 John Man
10 Peter Shoemaker
11 John Keller
12 John Fister
13 John Cornish
14 Patrick Day
15 Hugh Dyall

4th Capt. Stull's Co.

Christr. Stull, Capt.
Wm. Hedge, Jacob Kent } Lieuts.
Conrad Crepanie, Ensign
1 Jacob Frush, 2 Andw. Sullivan } Corpls.
3 John Julan
4 Bartle Shoemaker
5 Jacob Youler
6 Adam Bains
7 John Hughlet
8 Youlem Strafer
1 Waggoner & Team
1 Wm Burnister of Capt. White's Co.
2 Saml. Cock of Capt. Stoner's Copy

Brief Amount	Colonel	L. Colonel	Capts	Lieuts.	Ensigns	Adjt.	Q. Master	Sergts.	D. & Fife	Waggoners	R. & File	Total.
Field & Staff Offs.	1	1				1	1					4
Swearingen's Co.			1	2	1			2	2	1	20	29
Hilleary's Co.			1	1	1			3		1	21	28
Yost's Co.			1	1				1			15	18
Stull's Co.			1	2	1					1	8	13
privates of other Compys											2	2
Total	1	1	4	6	3	1	1	6	2	3	66	94

C. BEATTY, Col.
March 3, 1777. 33d B. Maryld M.

RAID OF BRITISH BARGES.

Sir

Two of the Enemy's Vessels came up Potomack on Thursday last in the Evening. They dispatched two of their Barges in the Night to plunder, the men from these landed at Portobacco Warehouse but did no damage, from thence they crossed over to Mr Walter Hanson's and robbed him of effects to considerable Value. They then went to the Priests where they pillaged and took with them everything that was portable not sparing the Church furniture. On Fryday morning they landed at Capt. Geo. Dent's before the Militia could be collected in sufficient force to oppose them and burnt all his Houses. On Saturday they took from Cedar point warehouse nearly all the Tobacco and have robbed several persons in different parts. We are informed they have near 300 men and five or six Barges. The Militia turn out with Alacrity and spirit. But we have neither Arms or Ammunition sufficient to defend all the Points in which we are accessable. I am desired to request yr Excellcy and Council to send 60 Muskets

and such Quantity of Powder and Lead as you may think proper. A few pieces of cannon are also very much desired and if you can send two or three field pieces the People of this County will be extremely obliged. The enemy have small pieces under the cover of which they can land at any point without being hurt by Musquetry. All the Tobacco in Warehouses on Potomack is in great danger and I think it would be well for Y^r^ Excel^y^ and Council to order the publick Tobacco to be moved to some places of Safety. The Enemy's Vessels moved round Cedar point yesterday afternoon and now lie at Swan Point and it is said several other Vessells were seen yesterday afternoon endeavouring to come up the river but the wind blowing fresh from N. West they made little way.

Col. Ware has been too much fatigued by constant Duty to give Y^r^ Excell^y^ an Account of the transactions here.

I am Sir
Y^r^ most Ob^t^ Ser^t^
T. STONE
Monday, April 8^th^ 1781.

INSTRUCTIONS TO DELEGATES IN CONGRESS.

The Committee appointed to prepare Instructions to the Delegates of this State to Congress report the following Draft.

By the General Assembly of Maryland April 18, 1777

Instructions To Samuel Chase, William Paca, William Smith, Benjamin Rumsey and Charles Carroll of Carrollton Esquires, Delegates to Congress.

We have long and impatiently expected that a Confederacy would have been formed between the United States; nothing we apprehend but the urgency of Affairs more immediately pressing and necessary would have protracted to this time that essential

measure. Without it there will be no bond of Unity among these States, no general superintending and controlling Power, when once the object of the subsisting union ceases by a happy Conclusion of the present war. You, Gentlemen, must be fully sensible of the importance of a permanent Confederacy, and that its permanency depends on its being founded in Justice and good policy.

On a Subject in which we feel ourselves and our Posterity so deeply interested, it becomes our duty thus publicly to deliver our sentiments for the better regulation of your Conduct. We do therefore instruct you to move for a Stricter Union and Confederacy of the thirteen united States reserving expressly to the general Assembly of this State the power of confirming and Ratifying the said confederacy, without which ratification we shall not consider it as binding upon this State; and should any other Colony solicit to be admitted into that confederacy you are to oppose such admission until the general Assembly can be informed thereof, and their Consent obtained thereto. Without an Economical management of our Revenues it will be extremely difficult to support this expensive War; nothing can contribute more to such management than a liquidation of the public debt, and the laying down in the Confederacy some equitable rule for the ascertaining the quotas of that debt which the several confederating States are to pay. We know no rule liable to so few exceptions as the number of white Inhabitants in each of the States. Negroes rather weaken than strengthen the Southern States, yet as they are accounted property, tho often of a precarious, and the very young and aged always of an expensive nature, we consent that the Negro Taxables in this State be deemed and taken as part of our people for the purpose of Taxation. Representatives ought always to be accountable for their conduct to their Constituents, yet when their proceedings remain secret and their votes on the most important subjects are unknown, their conduct, tho ever so censurable, will go unpunished for want of proper information; we therefore instruct you to move for and endeavor to obtain that all the journals of Congress be regularly and expeditiously Published, except such parts there-

of as relate to military operations and secret correspondence; that all proceedings of Congress and all questions agitated and determined in that Body be entered on their Journal and that the yeas and nays of each member, if required by any State, be taken on every question, as stated and determined by the House.

COURT HOUSE AT JOPPA, BALTIMORE COUNTY.

As supplementary to the history of Baltimore County Court houses (see Vol. I, p. 109) a correspondent, Mr. Kirk Brown, sends us a transcript from the County Records, Lib. I. S., No. B, fol. 98, giving the agreement made in March, 1709, with Col. James Maxwell to build a Court house at Joppa. From the specifications it appears that it was to be thirty-five feet long by twenty-four wide; to have two stories with rooms for the Grand and Petit Juries and the Clerk on the second floor. It was to be completed "with all expedition," and to cost 125,000 pounds of tobacco. If this was "the new Court house" to which the Court adjourned in June, 1712, Maxwell must have taken his time.

Taken from Records of Superior Court of Baltimore County, Maryland. Liber I. S. No. B. Folio 96.

March Court 1709.

"March the Elevent The Trustees again were present,

Capt. James Maxwell,	Mr. William Talbott,
Mr. James Phillips,	Mr. James Crook,
Mr. Aquilla Paca,	Mr. Fran. Dallahide,

Gent. Trustees.

The Mojority of this Court now setting doe agree with Coll. James Maxwell of Baltimore County Gent to build a Court house at the Towne of Joppa Baltimore County and the above said Gent doth agree to give unto the said James Maxwell One hundred and Twenty five Thousand pounds of Tobacco for the performance of the Accomplishing the same & the said James Maxwell doth bind himself & his heirs Exec. &c. in the sum of Two hundred and fifty pounds of Tobacco to perfect the same

with all Expedition and the above payment of One hundred and Twenty five Thousand pounds of Tobacco is to be paid unto the said James Maxwell in three payments the last collection to be made in the yeare One Thousand Seaven hundred and Eleven and for the Forty Thousand pounds of Tobacco allowed levied its ordered by the Court here sitting that the Sheriff pay unto the above said James Maxwell when he shall require it towards the Carrying on the building aforesaid &c. Viz. The Dementions of the Court house are as follows.

Thirty five foot long from outside to outside & Twenty four foot wide from outside to outside Fourteen foot pitch and one foot on Each overjected the lower floor laid with Brick the Trustees Seat to be four foot wide and four foot high with a passage up to the said Seat on Each End a barr under the Judges Seat Eight foot square with one more round that fiveteen foot wide and Eleven and a halfe foot long all the barrs and Seats of Trustees to be with raile & Bannister with a Gallery on Each side Six foot and a halfe high fifteen foot long and four foot wide to be with railes and Bannisters Assending by plank steps with Two windows at the End six foot high from outside to outside of the frame and four and halfe foot wide four windows below staires of the said Dementions to be planed at the discretion of the builder assending above by a pr. staires with railes and Bannisters a Grand Jury room about thirteen and a halfe foot long with a passage from the staires to the sd. room four foot wide another petition from the Grand Jury room to be Twelve foot which will make the Grand jury room be thirteen and halfe foot long and Twenty foot wide and the petty Jury room Twelve foot long and Sixteen foot wide the Clarkes Office Eight foot wide and Sixteen foot long with a window at Each End of the house four Dorment windows Two of Each side five foot high and four wide the End window of the same bigness to be placed at the discretion of the builders all the petitions above staires to be with Inch pine plank plained on both sides and egeed with a Large pr. of folding doors to come into the Court house below stairs with all other necessarys as doors Locks Keys Hinges Glass windows with shutters windows tight with Table in Every room

with Benches all round the barrs and a Table in the Eight foot barr to be lathed plastered and wt. washed below stairs with summer end small Give the rafters to be forward Six inches all above stairs to be sealed with Inch pine plank the Gable End to be carryed up with brick wall to Eighteen Inches thick the foundation laid with stone Two foot thick to the Water Table and then Eighteen Inches all the way up to the Gable End above gice to be Fourteen thick to be plastered and white washed to be shingled with poplar or Cyprus the back of the Trustees Seat to be wainscoated four foot high above the seat with a chair for the Judge Two chairs for the Cryer The Gallerys to be plastered and wt. washed underneath with Folding Casements for the Two End windows below and one Casement in Each window below with Cornish and Moulding all round the Eaves with forms to Every Table above stairs all the above said buildeng to be performed in good sufficient manner and time.

Copied from the original by Kirk Brown, 7th Mo. 5th, 1906. Liber I. S. No. B. Folio 313.

June Court Anno Domini 1712.

At a Court of our Sovereign Lady Ann &c held for Baltimore County the third day of June in the year of our Lord One thousand seven hundred & twelve before her Majesties Commissions thereunto authorized & appointed viz.

The Worshipfull { Coll. Ja. Maxwell, James Phillips, Aquilla Paca, Luke Raven, } Gentlemen Justices

James Presbury Sherif John Stokes Clerk.

The Court adjourned for one hour to the New Court house at Joppa & met again according to adjournment the afsd. Justices being present.

TRUCE BETWEEN BRITISH AND AMERICANS.

Particulars of the truce agreed upon between Colonel Barnwell and Major Brereton for the Island of Port Royal—[Augt 1782]

The British are to have all the old corn and Rice on the Island —They are to have Beef, sheep, Hogs &c for their subsistance while on the Island—They insist on taking poultry wherever they find it within their limits—The Corn, Rice &c are to be carried to Broad River to Major Brereton—

In consequence of this agreement Major Brereton gives his word and honor that he will not molest the inhabitants in any property within their houses—He promises that nothing remaining in the fields shall be taken, that he will not cross the road called the Broad River road—That he will not carry away negro property belonging to the inhabitants of this Island, and that any inhabitants going within the British limits unarmed shall not be considered as prisoners of war—That he will not go to the town of Beauford and that he will not again land on the Island or carry away property from it—

As Colonel Barnwell had not above five and twenty men indifferently armed and worse accoutred, and Major Brereton gave his honor that he had five hundred men fit for duty, which he had landed before he sent a flag—it was out of his power to make even the most trifling resistance He therefore thought it incumbent on him to make the best terms he could, as he had no right to expect assistance from the main—The troops are the 64th Reg^{t}, part of 84th, Lord Rawdons Corps which came up in ships under the command of Major Doyle and a body of Hessians—

On S^{t} Helena the British demanded 1500 Bush^{l} Corn, 200 Bullocks 150 Sheep and a number of Poultry—

On their part they promised not to advance into the Island, and not further to molest the inhabitants in person or property—

The vessels at present lay at M^{r} George Scotts in Beauford river—

Lieutenant Graham who came to Colonel Barnwell with a flag mentioned that they intended going to Charlestown as soon as they had taken on board the above mentioned articles

(Signed) ROBT. BARNWELL Capt.

N. B. the Troops under Major Doyle vizt Ld Rawdons corps & Hessians joined Majr Brereton after the action in which Colo Laurens was killed.

ROUSBY AND DULANY PAPERS.

BERNARD C. STEINER.

With the papers of Gov. Benedict Leonard Calvert which Roland S. Morris, Esq., of Philadelphia, recently lent me were some letters of John Rousby and Daniel Dulany, the elder, which seem worthy of publication and which are subjoined.

Readers of my "Restoration of the Proprietary" in the Report of the American Historical Association for 1899 will remember that Thomas McNamara had long been troublesome and Michael McNamara referred to here was, probably, his son.

I. To Daniel Dulany, Esq., at Annapolis.

Sir

As it was at yr Request yt I Appointed Mr. Macnemara to be my Deputy at Annapolis so I now take the Liberty of Informing you that I Cannot Keep him any Longer in that Imploymt you Very well Know yt ye Collector is Obliged to follow the Instructions wch he receives from the Commrs So of Course A Deputy ought to Observe Carefully wt Instructions he receives from the Principall officer but Mr. Macnemara will not mind any Instructions wch he has had at times from me In fine he will Do Just wt he pleases I Cannot gett from him any Lists of Shiping nor Accots nor the Hospitall Moncy &c I assure you tht his Negligence in the Office has been A Very Great prejudice to me in my office

& I have been Blamed more on his accot at home at the Custome house & then in all my Other Affairs I have Some thoughts of puting in that office If you think he would be A proper person, If Sr you would please to favour me wth your Advice herein I should Esteem it a Very Great favour.

I Sincerely am wth Very Great Respects

Dr Sr

yr Most Obedt Humble Servt

J. Rousby

October ye 26th 1737
I have the Gout in my Right
hand tht I Can Scarcely Write.

II. To Mr. Bordly.

Sir,

'Having heard that you have been Aspersed with having Endeavour'd to Supplant Mr. Macnemara in the office of Deputy Collector of this, which I know to be without any foundation; and therefore think it but justice to Supply you with the Means of justifying yourself from so unjust & Groundless a charge. To this end you have Mr. Rousby's letter to me of which you may make what use you please in your own Vindication, and as to your proceeding it was on my Recomending the thing to you upon a Supposition of a vacancy, as what wou'd be of some little advantage and not much trouble; And even after I spoke to you about it you hesitated some time before you came to any resolution, from an unwillingness to meddle in an Office of which another had the possession; But I remember that I represented to you that you went upon the foot of a vacancy and Consequently cou'd not Injure any body; Upon this and Mr. Bennett's joyning with me in a letter to Mr. Rousby to recomend you, you went and Apply for ye office, Which I think was very justifiable. I am

Sir

Yr very Obdt Servant

D. Dulany.

Jan. 21, 1737.

III. Mr. Dulany's Drt. of a letter for me to Mr. Rousbey abt ye Collector's place. 15. Jany 1738.

Sir,

That I have not hitherto reminded you of your promise to Messrs B & D in my favour has not proceeded from any disregard to you or neglect, but merely because I wou'd not take a single Step which shd carry the least Appearance of endeavouring to Supplant another persou But as I am informd Applications have been or are Intended to be made to you for the office of Deputy Collector of this Port, it wou'd like Slighting the Application of My friends in my behalf and the kind Assureances you gave me, shou'd I neglect to Acquaint you that I rely on the performance of your promise when a vacancy shall happeu and at the same time that I take this freedom I wou'd beg leave to be understood as only desiring the place if Mr. Macnemara shall be removed But not desiring his removall to make room for me.

IV. Sr.

The Inclosed is the Intended letter to Mr. Rousby, which be pleased to peruse, & alter or underwrite as you think fitt, & return by bearer.

From Sr.

Yr very Hble Servt.

BORDLEY.

15. Jany 1738.

Sr.

I've taken the freedom with almost a whole letter leaving the conclusion as it is in yours, not that I think my own style is better than yours, but because I think it may suit the temper of the Gente it's designed for. My underwriting any thing wd look like a [illegible] which perhaps may disgust iustead of being serviceable. I am

Sr yr hble servt

D. DULANY.

Jan 16

BOUNTY ON INDIAN SCALP.

I, James Davis of Virginia, the person in whose favour the General Assembly of the Province of Maryland passed an Act in October Session last, giving me a Bounty of fifty pounds Current Money for Killing and Scalping of an Indian at George's Creek within the Province aforesaid, which sum of fifty pounds I do acknowledge to have received from the Commissioners of the Loan Office as directed by the above Act; Entituled an Act for giving a Bounty for taking Indians Prisoners, and other purposes therein mentioned. As witness my hand this 19th day of March, 1764.

JAMES DAVIS.

Testis
James Tootell.

PROCEEDINGS OF THE SOCIETY.

MONTHLY MEETINGS.

October 11, 1909.—The opening meeting of the fall was attended by a great many members.

The additions reported to the library of the Society showed a large number of donations, prominent among them being 17 bound volumes of the Southern Historical Society Papers, from Mr. John C. Daves, 26 magazines and several pamphlets from the Enoch Pratt Free Library, and from Mrs. Katherine C. Goldsborough, 5 large volumes, in manuscript, containing the Civil List of the Officials of the Province and State of Maryland compiled by her husband, the late Honorable Henry Hollyday Goldsborough, as also a number of packages and bundles of papers containing historical and genealogical data and miscellaneous manuscripts from his collection.

Another gift was an original letter (framed) written by William Strahan, King's Printer and a Member of Parliament, dated January 26, 1771, to David Hall of Philadelphia, his stepson, and an apprentice and later a partner of Benjamin Franklin, from Mr. J. Wilson Leakin. A Land Patent, dated July 4, 1741, for land called "Conveniency" in Dorchester County, Md., from Henry Trippe to Philemon Jones, was received from Rev. William H. Higgins, Laurel, Del.

Resignations were received and accepted from Messrs. George R. Gaither, E. Stanley Gary, H. C. McElderry and J. Edward Mohler.

Mr. Richard D. Fisher from the Library Committee submitted "A list of donations to the cabinet from 1844–1909, indexed alphabetically according to the name of the donors;" also, a "List of 256 letters from various persons on interesting subjects from 1714–1886;" also, the original "Act Concerning Religion" of 1649, which had been recently unearthed from among the papers of the Society.

Hon. Henry Stockbridge made an interesting impromptu address on the aforesaid Act to the great enjoyment of all present.

The necrology was read as follows: Rufus K. Wood, Basil Sollers, John O'G. Allmand and Thomas Hill.

The President spoke of the valuable services Mr. Basil Sollers had rendered the Society, especially as its Recording Secretary.

Mr. Richard D. Fisher, Chairman of the Special Committee appointed by the Council on the 8th inst. to draft suitable resolutions of respect to the memory of Mr. Sollers, offered the following report.

The undersigned, a Committee appointed by the Council on the 8th inst. to prepare a tribute to the memory of Mr. Basil Sollers, late Recording Secretary of this Society, have the honor to submit the following:

Mr. Sollers died on the 27th day of July, 1909, after a comparatively short life of 56 years. From his early days he had been a teacher of youth, and having steadily accomplished himself as an educator, had finally attained the principalship of Group B of the Public Schools of Baltimore City, in which position he had become an ornament to his profession.

It is our province, however, to speak of Mr. Sollers more particularly in his relation to the Maryland Historical Society, of which institution he was a valued member for 27 years. Of a family long identified with Maryland citizenship, he took a personal interest in the story of his State, and had accumulated a library of printed and manuscript material, bearing thereon, which is probably unique in variety and extent. Hence it was that he was peculiarly equipped for the authorship of the papers read by him before these meetings, of which we may especially mention *The Acadians transported to Maryland* and *Transported Convict Laborers in Maryland*, as combining thoroughness of research with frankness of statement. His unexpected death cuts short a career of usefulness and devotion to this Society, which hereby desires to place upon record its sincere appreciation of his loss. Therefore be it

Resolved, That this tribute be spread upon the minutes of the Society, and that a copy thereof be transmitted by the Corresponding Secretary to the widow and family of the deceased.

Respectfully submitted,

RICHARD D. FISHER,
RICHARD H. SPENCER,
ANDREW C. TRIPPE,
Committee.

On motion the minute and resolution was unanimously adopted.

A very interesting paper was read by Mr. J. Wilson Leakin upon "An Eighteenth Century News Letter and some of its Contemporaries."

November 8, 1909.—Among the donations reported to the Society at this meeting were, "Muster Rolls of the Virginia Militia in the war of 1812, which also contains muster rolls of men called into the service of the United States by the President in 1846, for the War with Mexico," from Mr. James Edward Carr, Jr., and the "Journal of the House of Burgesses of Virginia 1742–1749," from the Virginia State Library.

There was also received a photographic copy (framed) of an original Maryland legal manuscript 180 years old, from Dr. G. D. Darnall, West Union, Iowa, a descendant of Col. Henry and John Darnall.

The elections to membership were: Active, W. Cabell Bruce, William Ingle, Thomas A. Smith, Mrs. John Edward Raine, Mrs. Mary H. Sumwalt and Miss Margaret Waters. Associate, Mrs. John Eldridge Bently, Beverly W. Bond, Jr., and Otis Burgess Sears, Ph. D.

A letter was read from Mrs. Basil Sollers acknowledging the receipt of the minute and resolution of respect, passed at the last meeting, in reference to her late husband Mr. Basil Sollers.

The amendments to the Constitution of the Society, submitted at the regular monthly meeting, May 10, 1909, were then taken up.

Amendment to Article III, Sec. 4, having been read, on motion, action on same was deferred until the next regular monthly meeting.

Section 7, of Article V, of the Constitution was repealed and re-adopted by a two-thirds vote, so as to read :

7. Any active or associate member in arrears for dues for six months shall be reported by the Treasurer to the Recording Secretary, whose duty it shall be formally to notify the member so in arrears and at the same time to send to such member a copy of this section of the Constitution. If after such notice the dues shall remain unpaid at the end of the fiscal year, the Treasurer shall report the fact to the Council, and unless the Council otherwise directs the Recording Secretary shall strike the name of the delinquent from the rolls of the Society and notify the Treasurer thereof.

Any person whose name shall have thus been stricken from the roll, may thereafter be reinstated upon such terms and conditions as the Council may from time to time prescribe.

Article III, Section 2, was amended by a two-thirds vote, by substituting the word seven for three in the tenth line so as to make the Committee on Membership to consist of seven members, in place of three as heretofore.

The necrology was read as follows : Thomas J. Hayward and Teackle Wallis Blackistone.

The address of the evening was read by Dr. Bernard C. Steiner, in an exceedingly careful and well written paper on Brantz Mayer, one of the original members of this Society, to whom is attributed, more than to any one else, the founding of the Society, and who was for many years its Corresponding Secretary and later its President.

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